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Government Code § 6103

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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  
16  
17  
18 **AND ALL RELATED ACTIONS**

**WATERMASTER'S OPPOSITION TO  
ANTELOPE VALLEY RESOURCE  
CONSERVATION DISTRICT'S MOTION  
FOR LEAVE TO INTERVENE AND SET  
EVIDENTIARY HEARING REGARDING  
WATER PUMPING RIGHTS;  
DECLARATIONS OF CRAIG A.  
PARTON AND PATRICIA ROSE,  
EXHIBITS 1-10**

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

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1 The Antelope Valley Watermaster (“**Watermaster**”) submits this Opposition to Antelope  
2 Valley Resource Conservation District’s (“**AVRCD**”) Motion for Leave to Intervene and Set  
3 Evidentiary Hearing Regarding Water Pumping Rights (the “**Motion**”) as follows:

4 **I. INTRODUCTION**

5 The Watermaster does not oppose AVRCD’s proposed intervention. In fact, for years the  
6 Watermaster has unsuccessfully demanded that AVRCD intervene in the Judgment, to no avail until  
7 AVRCD recently filed the Motion. The Watermaster does, however, oppose AVRCD’s attempt to  
8 seek a Production Right as an Exhibit 4 Party, and further demands that AVRCD immediately pay  
9 all past-due Assessments and install a Watermaster-approved water meter on its well.

10 The Watermaster is charged with administering the Judgment, which provides that the Court  
11 “retains and reserves full jurisdiction, power and authority for the purpose of enabling the Court . . .  
12 to make such further or supplemental order or directions as may be necessary or appropriate to  
13 interpret, enforce, administer or carry out this Judgment . . .” (Judgment ¶ 6.5.)

14 The Watermaster’s duties under the Judgment include, among other responsibilities, the  
15 levying and collection of Replacement Water Assessments (“**RWAs**”) for the purpose of paying all  
16 costs related to Replacement Water necessary to replace all groundwater produced in excess of any  
17 allocated rights to produce groundwater from the Basin. (*Id.* ¶¶ 3.5.41, 7.3, 9.2.) “The amount of the  
18 [RWA] shall be the amount of such excess Production multiplied by the cost to the Watermaster of  
19 Replacement Water, including any Watermaster spreading costs.” (*Id.* ¶ 9.2.) The RWA rate is  
20 expressed in dollars per acre-foot, and is multiplied by the Replacement Obligation (in acre-feet) to  
21 determine the total RWA.

22 AVRCD is a non-Party to the Judgment. It must intervene to become a Party, install a  
23 Watermaster-approved meter on its well, and seek a New Production right if it wishes to continue to  
24 produce groundwater from the Basin. AVRCD is further obligated to pay all delinquent  
25 Assessments for all water that it has taken from the Basin to date, as well as all water it plans to  
26 take from the Basin in the future. AVRCD missed its opportunity to join the adjudication as an  
27 Exhibit 4 Party, and should not be rewarded for its delay in submitting to the Court’s jurisdiction.  
28



1           **A.     THE PROPERTY**

2           AVRCD owns approximately 80 acres of real property located in the Basin at 10148 West  
3 Avenue I in Lancaster (APN: 3267-005-902) (the “Property”). (Parton Decl., Exh. 3; Motion at  
4 3:14-18.) AVRCD produces groundwater from the Property, but is not listed as a Party to the  
5 Judgment. (Rose Decl. ¶ 3; Motion at 5:19-20.) The Property is improved with one well which  
6 provides water for plants, trees and two houses. (Parton Decl., Exh. 3; Motion at 4:14-19.) The  
7 water meter on AVRCD’s well has not been approved by the Watermaster. (Rose Decl. ¶ 3.)

8           **B.     WATERMASTER COMMUNICATIONS WITH AVRCD**

9           Since 2019, the Watermaster has asked AVRCD to intervene in the Judgment, pay any  
10 Assessments that may be owed, meter its well, and submit an application for New Production.  
11 (Parton Decl. ¶ 3, Exh. 1-7.) Watermaster General Counsel has communicated directly with  
12 AVRCD and its counsel on numerous occasions, each time explaining that AVRCD is a non-  
13 Party without any right to produce groundwater from the Basin, and that it must intervene in the  
14 Judgment pursuant to Paragraph 20.9 and thereafter seek a right to produce groundwater. The  
15 Watermaster has repeatedly explained the basis for—and AVRCD’s responsibility to pay—  
16 RWAs, but to date AVRCD has failed to concede or acknowledge its obligation to do so. In fact  
17 AVRCD only filed the Motion to intervene after the Watermaster was on the verge of filing a  
18 motion for injunctive, declaratory and monetary relief against AVRCD. (*Ibid.*)

19           **C.     AVRCD’S SELF-REPORTED GROUNDWATER PRODUCTION**

20           AVRCD has reported to the Watermaster total groundwater production of 108.97 acre-feet  
21 for the years 2016-2020. (Rose Decl. Exh 9.) Because AVRCD has no rights to produce  
22 groundwater under the Judgment, AVRCD must pay RWAs for all such production, in addition to  
23 Administrative Assessments. On December 15, 2021, the Watermaster invoiced AVRCD for  
24 2016-2020 Assessments in the total amount of \$46,449.56, based on AVRCD’s self-reported  
25 production amounts for those years, with a due date of January 14, 2022. (Rose Decl. Exh 10.)

26           To date, AVRCD has failed to pay *any* Assessments, notwithstanding AVRCD’s self-  
27 reported production of significant amounts of groundwater from the Basin since the date of entry  
28 of the Judgment. (Rose Decl. ¶7.) For almost seven years AVRCD has produced groundwater

1 from the Basin without paying any Assessments. AVRCD' payment of these delinquent  
2 Assessments is essential to the fundamental purpose of the Judgment and Physical Solution:  
3 preserving the health of the Basin. Any further delay in AVRCD's payment of RWAs will only  
4 exacerbate the harm to the Basin which has already been caused by its complete non-compliance  
5 with the Judgment.

## 6 **II. ARGUMENT**

7 The Judgment and the R&Rs explicitly authorize the Watermaster to collect delinquent  
8 Assessments, together with interest thereon, attorneys' fees and costs. "Any assessment which  
9 becomes delinquent, as defined by rules and regulations promulgated by the Watermaster shall  
10 bear interest at the then current real property tax delinquency rate for the county in which the  
11 property of the delinquent Party is located." (Judgment ¶ 18.4.12.) "The delinquent assessment,  
12 together with interest thereon, costs of suit, attorneys fees and reasonable costs of collection, may  
13 be collected pursuant to . . . motion by the Watermaster giving notice to the delinquent Party only  
14 . . . [or] such other lawful proceeding as may be instituted by the Watermaster or the Court."  
15 (*Ibid.*; *see also* R&Rs § 19.g ("Watermaster may recover delinquent assessments [including  
16 RWAs], together with interest thereon plus costs of suit, attorneys fees and reasonable costs of  
17 collection, by filing a motion with the Court to enforce the terms of the Judgment pursuant to  
18 Code of Civil Procedure section 664.6.")) "The Watermaster shall also have the ability to seek to  
19 enjoin Production of those Parties . . . who do not pay assessments pursuant to this Judgment."  
20 (*Ibid.*; *see also* R&Rs § 19.i ("Any other remedy available to the Watermaster in law or equity  
21 may be employed at the discretion of Watermaster to address any circumstance related to  
22 management of the Basin in accordance with the Judgment and these R&Rs."))

### 23 **A. COLLECTION OF DELINQUENT RWAs**

24 The Judgment makes clear that the Watermaster has the authority to levy and collect  
25 RWAs from AVRCD pursuant to Paragraph 9.2, and is explicitly authorized—and obligated—to  
26 impose RWAs on AVRCD for all groundwater it produces.

27 Protection and preservation of the health of the Basin is paramount under the Judgment.  
28 One of the central components of the Watermaster's role in the underlying adjudication is to

1 collect sufficient funds to purchase Replacement Water to replenish all Basin groundwater  
2 pumped in excess of any allocated water rights. In the case of AVRCD, in order to avoid Material  
3 Injury to the Basin, the Judgment explicitly requires that all water pumped by AVRCD be  
4 replaced using RWA proceeds. Based on its own calculations, AVRCD is currently delinquent in  
5 payment of Assessments in the total amount of \$46,449.56. (Rose Decl. ¶ 5-7, Exh. 9-10.) These  
6 payments are now more than ten months late.

7 The health of the Basin relies on importation of State Water Project water to replenish all  
8 groundwater produced by AVRCD in any given year, and any further delay in bringing the  
9 aquifer back to sustainable levels could have severely deleterious results. Such a result is  
10 inconsistent with the explicit purpose of the Physical Solution, which is to bring the Basin into  
11 balance by allowing groundwater usage only within the Native Safe Yield of the Basin.  
12 (Judgment ¶ 7.4.) For these reasons, the Court (by stipulation of the Parties) conferred  
13 enforcement authority on the Watermaster to levy and collect RWAs.

14 AVRCD has finally, after years of demands by the Watermaster, fulfilled the first of its  
15 many obligations under the Judgment by moving to intervene and submit to the Court's  
16 jurisdiction. If AVRCD desires to continue producing groundwater from the Basin, it must first  
17 pay the much-needed Assessments. In accordance with its retention of jurisdiction to fully enforce  
18 the Judgment, the Court should order the payment of the delinquent Assessments and enjoin  
19 AVRCD from producing any additional groundwater from the Basin until such delinquent  
20 Assessments, interest, fees and costs are fully paid.

21 **B. INTEREST, ATTORNEYS' FEES, AND COSTS OF COLLECTION**

22 The Judgment and the R&Rs explicitly authorize the Watermaster to collect AVRCD's  
23 delinquent RWAs together with interest thereon (accruing from the due date at the current real  
24 property tax delinquency rate for the county in which the property of the delinquent Party is  
25 located), costs of suit, attorneys' fees and reasonable costs of collection. (Judgment ¶ 18.4.12;  
26 R&Rs § 19.g.)

27 **i. Interest**

28 The Property is located in Los Angeles County, where the following penalties are imposed

1 upon delinquent property tax payments: (1) if the first installment payment is delinquent, a 10%  
2 penalty is imposed; and (2) if the second installment payment is delinquent, a 10% penalty and a  
3 \$10 cost is imposed. (Parton Decl. ¶ 8; Rev. & Tax. Code §§ 2617, 2618.)

4 The Watermaster sends invoices for Assessments to the Parties at different times each  
5 year, depending upon when the RWA rates for that year are approved by the Watermaster Board,  
6 and depending upon when Watermaster staff finalizes RWA calculations. In each instance,  
7 Assessments are due 30 days after the invoice date in a lump sum (rather than in installments),  
8 and are assessed a single 10% delinquency penalty thereafter. (Rose Decl. ¶ 4.)

9 To date, AVRCD has failed to pay any of the Assessments stated in the December 15,  
10 2021 invoices, which were due by January 14, 2022. (Rose Decl. ¶ 7.) Therefore a 10% penalty in  
11 the total amount of \$4,644.96 shall be imposed on AVRCD's delinquent Assessments.

12 **ii. Attorneys' Fees and Costs of Collection**

13 Attached to the Declaration of Craig A. Parton as Exhibit "8" is a compilation of the  
14 Watermaster's billing records from May 2019 through October 2022, reflecting all legal expenses  
15 the Watermaster has incurred in seeking to collect AVRCD's delinquent Assessments, including but  
16 not limited to handling AVRCD's failure to reasonably or in good faith respond to any Watermaster  
17 efforts to resolve this matter without litigation. The Declaration of Mr. Parton establishes the  
18 reasonableness of the fees sought. The procedure for determining the reasonable attorneys' fees  
19 normally begins with the "lodestar" (*i.e.*, the reasonable hourly rate) multiplied by the number of  
20 hours reasonably expended. (*Press v. Lucky Stores, Inc.* (1983) 34 Cal. 3d 311, 322.)

21 **a. Price, Postel & Parma's Rates Are Reasonable**

22 The reasonable market value of the attorney's services is the measure of a reasonable  
23 hourly rate. (*PLCM Group, Inc. v. Drexler* (2000) 22 Cal. 4th 1084, 1095.) To determine  
24 reasonable market value, the court must determine whether the requested rates are "within the  
25 range of reasonable rates charged by and judicially awarded comparable attorneys for comparable  
26 work." (*Children's Hosp. & Med. Ctr. v. Bonta* (2002) 97 Cal. App. 4th 740, 783.) Evidence that  
27 the prevailing party's counsel charges the same rates in other matters is probative that the rates  
28 charged are reasonable. (*Margolin v. Reg'l Planning Com.* (1982) 134 Cal. App. 3d 999, 1005.)

1 The Watermaster's general counsel, Price, Postel & Parma LLP ("PPP"), provided the  
2 Watermaster with monthly billing statements during the course of the dispute with AVRCD,  
3 reflecting the billing entries attached to Mr. Parton's Declaration. (Parton Decl. ¶ 4-7.)

4 The rates that were charged by PPP for attorney time in this matter ranged from \$270 per  
5 hour for Cameron Goodman, an associate of the firm, to \$395 per hour for Craig A. Parton, a  
6 partner of the firm. These rates reflect the firm's public agency rates, which are between 25% and  
7 34% lower than PPP's customary hourly rates. (Parton Decl. ¶ 5.) The rates charged by PPP in  
8 this matter were fair and reasonable. (Parton Decl. ¶ 6.)

9 **b. *The Time Expended by PPP on This Matter Was Reasonable***

10 The time expended on this case by PPP was reasonable under the circumstances. AVRCD  
11 has shown continuous obstinance in the face of its clear obligation under the Judgment to submit  
12 to the Court's jurisdiction and pay Assessments for the water it has taken from the Basin. The  
13 Watermaster General Counsel has provided AVRCD every opportunity to pay what it purports to  
14 owe, come into compliance with the Judgment by moving to intervene, and avoid litigation.  
15 However, AVRCD has failed to come to the table in a meaningful way for over two years now,  
16 and only recently did AVRCD satisfy its obligation to intervene after facing the threat of a  
17 Watermaster motion for injunctive, declaratory and monetary relief. (Parton Decl. ¶ 5.)

18 The billing entries set forth in Exhibit 8 attached to Mr. Parton's Declaration reflect in  
19 detail the legal services provided to the Watermaster in this matter.

20 For these reasons, the Watermaster respectfully requests the Court award attorneys' fees to  
21 the Watermaster in the total amount of \$7,775.50.

22 **C. DECLARATORY AND INJUNCTIVE RELIEF**

23 AVRCD's ongoing violation of the Judgment is clear. If AVRCD wishes to continue  
24 pumping groundwater from the Basin, it must pay all delinquent Assessments, meter its well in  
25 accordance with the Watermaster Engineer's requirements, and submit an application for New  
26 Production. On information and belief, AVRCD continues to pump groundwater from the Basin,  
27 yet refuses to pay any past-due Assessments or seek New Production.

28 As such, in accordance with Paragraph 18.4.10 of the Judgment, the Watermaster requests

1 a declaration from this Court that AVRCD is currently, and shall be, prohibited from producing  
2 any further groundwater in the Basin until: (a) AVRCD pays to the Watermaster all delinquent  
3 Assessments, interest thereon and attorneys' fees; (b) AVRCD installs a Watermaster Engineer-  
4 approved water flow meter on its well; and (c) AVRCD either submits an application for New  
5 Production or otherwise seeks and successfully obtains a right to produce groundwater from the  
6 Basin.

7 **D. AVRCD SHOULD NOT BE ALLOWED TO INTERVENE AS A NON-**  
8 **STIPULATING OR AN EXHIBIT 4 PARTY**

9 In its Motion, AVRCD seeks “overlying groundwater pumping rights pursuant to  
10 paragraph 5.1.10 of the [Judgment]” and “to be added to Exhibit 4” of the Judgment. (Motion at  
11 6:2-4.) “AVRCD anticipates seeking pumping rights equal to 17.94 acre feet per year.” (*Id.* at  
12 6:5.)

13 Regardless of whether and to what extent AVRCD may eventually attempt to prove-up a  
14 right to produce groundwater from the Basin (beyond New Production), AVRCD has a clear and  
15 present obligation to pay the Assessments demanded by the Watermaster. A hypothetical  
16 prospective Production Right is not a valid basis to thwart the Watermaster’s legitimate efforts to  
17 collect long-overdue Assessments, which is vitally important to the Watermaster’s efforts to  
18 protect the health of the Basin.

19 The narrative is clear: AVRCD owes RWAs for all the groundwater it has produced since  
20 the date of entry of the Judgment. AVRCD has had the opportunity to attempt to intervene and  
21 come into compliance with the Judgment since the date of entry of the Judgment, and certainly  
22 during the years-long negotiations with Watermaster General Counsel. If AVRCD wishes to  
23 attempt to avail itself of the Paragraph 5.1.10 procedures at a later date, a Court order to this  
24 effect will not prejudice such efforts in any way.

25 Nevertheless, the procedures for allocating a Production Right to Non-Stipulating Parties  
26 is unlikely available to AVRCD given its physical location within the Basin, and its knowledge of  
27 the adjudication well before final entry of the Judgment. Moreover, there is no procedure whereby  
28 a non-Party such as AVRCD can intervene and acquire an Exhibit 4 Production Right, and this

1 request in the Motion should be disregarded as a matter of law as contrary to the terms of the  
2 Judgment.

3 **E. ANY EVIDENTIARY HEARING SHOULD BE SCHEDULED TO ALLOW**  
4 **TIME FOR DISCOVERY AND PARTICIPATION BY OTHER PARTIES**

5 In the event the Court sets an evidentiary hearing to allow AVRCD an opportunity to  
6 prove-up a right to produce groundwater from the Basin (beyond New Production), any such  
7 hearing should be set for a date that allows any objecting Stipulating Parties to participate in the  
8 proceedings and conduct discovery. A joint stipulation by and among AVRCD, the Watermaster  
9 and any objecting Stipulating Parties may be necessary to set an appropriate timeline.

10 **III. CONCLUSION**

11 For the reasons discussed above, the Watermaster respectfully requests that this Court  
12 approve AVRCD's intervention in the Judgment, but also enter an order against AVRCD for all  
13 Assessments, interest and fees in the amount set forth herein, and also declare that AVRCD is  
14 prohibited and enjoined from producing any further groundwater from the Basin unless and until  
15 it pays all past-due amounts, installs a water meter on its well, and submits an application for New  
16 Production. Any evidentiary hearing regarding AVRCD's alleged production rights should allow  
17 adequate time for Stipulating Parties to object and conduct discovery.

18  
19 Respectfully submitted,

20 Dated: October 12, 2022

PRICE, POSTEL & PARMA LLP

21  
22 By: 

23 CRAIG A. PARTON  
24 TIMOTHY E. METZINGER  
25 CAMERON GOODMAN  
26 Attorneys for  
27 Antelope Valley Watermaster  
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1 approximate 25% to 34% reduction in our customary rates.

2           6.       AVRCD could and should have intervened in the Judgment years ago, and also paid  
3 its past-due Assessments and submitted a New Production application pursuant to the clear terms of  
4 the Judgment, rather than delaying the inevitable. The attorneys' fees incurred by the Watermaster  
5 in seeking to recover the Assessments from AVRCD and compel its compliance with the Judgment  
6 were necessary in order to protect against the substantial harm that would be caused to the Basin if  
7 AVRCD were allowed to merely ignore its obligation to pay these vitally important Assessments so  
8 that the Watermaster can purchase water to replenish the Basin.

9           7.       Additional PPP time has been necessary to evaluate legal options for consideration  
10 by the Watermaster Board in collecting AVRCD's delinquent Assessments, and also to prepare a  
11 motion to compel compliance with the Judgment and oppose the Motion as set forth herein. Further  
12 PPP time will be necessary to attend the hearing on the Motion.

13           8.       As set forth in Paragraph 18.4.12 of the Judgment, the Watermaster is authorized to  
14 collect interest on delinquent RWAs "at the then current real property tax delinquency rate for the  
15 county in which the property of the delinquent Party is located." The real property tax delinquency  
16 rates for the Los Angeles County Tax Collector are posted online at [https://ttc.lacounty.gov/avoid-](https://ttc.lacounty.gov/avoid-penalties-by-understanding-postmarks/)  
17 [penalties-by-understanding-postmarks/](https://ttc.lacounty.gov/avoid-penalties-by-understanding-postmarks/).

18           9.       In accordance with California Revenue & Taxation Code Sections 2617 and 2618,  
19 the Los Angeles Tax Collector imposes penalties on delinquent real property taxes as follows: (1) if  
20 the first installment payment is delinquent, a 10% penalty is imposed; and (2) if the second  
21 installment payment is delinquent, a 10% penalty and a \$10 cost is imposed.

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

24  
25 Dated: October 12, 2022

  
CRAIG A. PARTON

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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,  
Fourth Floor, Santa Barbara, California 93101.

5 On October 12, 2022, I served the foregoing document described **WATERMASTER'S**  
6 **OPPOSITION TO ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT'S**  
7 **MOTION FOR LEAVE TO INTERVENE AND SET EVIDENTIARY HEARING**  
8 **REGARDING WATER PUMPING RIGHTS; DECLARATIONS OF CRAIG A. PARTON**  
9 **AND PATRICIA ROSE, EXHIBITS 1-10** on all interested parties in this action by placing the  
original and/or true copy.

9 ☒ **BY ELECTRONIC SERVICE:** I posted the document(s) listed above to the Santa Clara  
County Superior Court Website @ [www.scefilng.org](http://www.scefilng.org) and Glotrans website in the action of  
10 the Antelope Valley Groundwater Cases.

11 ☒ (*STATE*) I declare under penalty of perjury under the laws of the State of California that  
12 the foregoing is true and correct.

13 ☐ (*FEDERAL*) I hereby certify that I am employed in the office of a member of the Bar of  
14 this Court at whose direction the service was made.

15 Executed on October 12, 2022, at Santa Barbara, California.

16  
17   
18 Signature  
Elizabeth Wright

# **Exhibit 1**

**From:** Craig A. Parton <[Cparton@ppplaw.com](mailto:Cparton@ppplaw.com)>

**Sent:** Friday, February 28, 2020 12:57 PM

**To:** 'brad@charltonweeks.com' <[brad@charltonweeks.com](mailto:brad@charltonweeks.com)>

**Cc:** [mknudson@avek.org](mailto:mknudson@avek.org); Angel Fitzpatrick ([afitzpatrick@avek.org](mailto:afitzpatrick@avek.org)) <[afitzpatrick@avek.org](mailto:afitzpatrick@avek.org)>; Kate White <[KWhite@toddgroundwater.com](mailto:KWhite@toddgroundwater.com)>

**Subject:** RE: Antelope Valley Resource Conservation District

Mr. Weeks: When we last talked on May 23, 2019 my understanding was that you (on behalf of your client AVRCD) would be contacting me to commence the process of intervening into the Judgment in order to acquire a right to produce groundwater within the jurisdiction of the Antelope Valley Watermaster. Commencing that intervention process was, as I understood it, awaiting the compilation of data reflecting historic water usage by AVRCD. The Antelope Valley Watermaster has now received Production Reports from AVRCD (including, just this week, receipt of AVRCD's 2019 Annual Production Report) and therefore I am reaching out to you to discuss the terms on which the Watermaster would be willing to stipulate to your client's intervention into the Antelope Valley Judgment and Physical Solution.

As part of this process, please confirm our understanding that AVRCD is not currently a Party to the Judgment (e.g., they are not a defaulted Party nor of course, as a public entity, a member of the Small Pumper Class). In addition, I understood from the last time we communicated that AVRCD uses one well that is metered but the meter at that time had not been certified by the Watermaster Engineer. An update on that issue is also appreciated.

I look forward to hearing from you.....Thank you in advance for your professional cooperation.....Craig Parton, General Counsel for the Antelope Valley Watermaster



**PRICE, POSTEL & PARMA LLP**

Craig A. Parton  
Price Postel & Parma LLP  
200 E Carrillo Street, Suite 400  
Santa Barbara, CA 93101  
T: 805.962.0011 (Main);  
T: 805.882-9822 (Direct)  
F: 805.965.3978  
E: [cap@ppplaw.com](mailto:cap@ppplaw.com)  
Website: <http://ppplaw.com>

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## **Exhibit 2**



## PRICE, POSTEL & PARMA LLP

*Counsellors at Law*

200 East Carrillo Street, Suite 400  
Santa Barbara, CA 93101-2190

Mailing Address: P.O. Box 99  
Santa Barbara, CA 93102-0099

[www.ppplaw.com](http://www.ppplaw.com)

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Todd A. Amspoker  
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Tara L. Christian  
Melissa J. Fassett  
Ian M. Fisher  
Arthur R. Gaudi  
Cameron Goodman  
Emily B. Harrington  
Christopher E. Haskell  
James H. Hurley, Jr.  
Eric P. Hvolbøll  
Mark S. Manion  
Steven K. McGuire

Timothy E. Metzinger  
Shereef Moharram  
Craig A. Parton  
Kenneth J. Pontifex  
Douglas D. Rossi  
Peter D. Slaughter  
David W. Van Horne  
C.E. Chip Wullbrandt  
Ryan D. Zick

---

### CAMERON PARK OFFICE

3330 Cameron Park Drive, Suite 100  
Cameron Park, CA 95682-7652  
Ph (805) 962-0011  
Fax (805) 965-3978

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Our File Number:  
23641-1

November 13, 2020

### VIA FEDEX AND EMAIL

Antelope Valley Resource Conservation District  
c/o Neal Weisenberger [nealweisenberger@gmail.com](mailto:nealweisenberger@gmail.com)  
PO Box 3396  
Quartz Hill, CA 93586

Re: Pumping of Groundwater from the Antelope Valley Adjudicated Basin

Dear Mr. Weisenberger:

This office serves as General Counsel to the Antelope Valley Watermaster ("Watermaster"). The Watermaster was created by the Los Angeles Superior Court, and is charged with assisting the Court in administering the terms of the Judgment and Physical Solution dated December 23, 2015 ("Judgment") relating to the Antelope Valley Adjudicated Basin ("Basin").<sup>1</sup> The Judgment spells out in detail all the rights to groundwater in the Basin. Any groundwater pumping outside of an identified right to do so pursuant to the terms specified in the Judgment is strictly prohibited.

It is our understanding that you may be pumping groundwater from the Basin. As a Non-Party to the Judgment, you do not have a right to do so. The Watermaster is required by the Court to stop all unauthorized groundwater pumping. This letter is the Watermaster's formal request that you immediately comply with Section 20.9 of the Judgment, which provides a

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<sup>1</sup> Available at: <https://avwatermaster.net/resources/exhibits-charts/>

**Antelope Valley Resource Conservation District**

Re: Pumping of Groundwater from the Antelope Valley Adjudicated Basin

November 13, 2020

Page 2

process for Non-Parties to intervene in the Judgment to become a Party and to then seek the right to produce groundwater from the Basin.

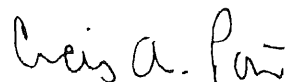
If you intervene in the Judgment and obtain a right to produce groundwater from the Basin, you may be able to acquire transfer water or will be required to pay Replacement Water Assessments for your groundwater production. If you continue to pump groundwater without intervening in the Judgment, the Watermaster will ask the Court to require you to pay Replacement Water Assessments for all past unauthorized groundwater pumping, that you be prevented from further pumping in the Basin, and will also seek to recover all attorney's fees and other direct and indirect costs incurred in this legal process.

Please contact Watermaster Administrative offices at (661) 234-8233, or PO Box 3025, Quartz Hill, CA 93586, or [afitzpatrick@avwatermaster.net](mailto:afitzpatrick@avwatermaster.net) and [prose@avwatermaster.net](mailto:prose@avwatermaster.net), within thirty (30) days of the date of this letter so that Watermaster Administrative staff can explain your options and address your groundwater usage in the Basin.

If we do not receive a written response from you within thirty (30) days from the date of this letter, the Watermaster will have no choice but to initiate legal proceedings as discussed above.

Thank you in advance for your cooperation and we look forward to working with you to obtain compliance with the Judgment.

Very truly yours,



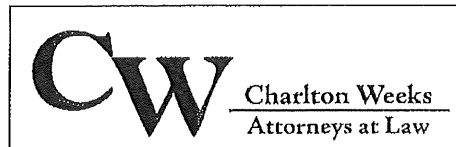
Craig A. Parton  
for PRICE, POSTEL & PARMA LLP

cc: Watermaster Board  
Watermaster Engineer  
Watermaster Administrative Staff



## **Exhibit 3**

James W. M. Charlton  
Bradley T. Weeks  
Lisa A. Doran  
Rikka J. Fountain  
Abigail White



1031 West Avenue M-14, Suite A  
Palmdale, CA 93551  
(661) 265-0969  
Fax (661) 265-1650  
www.CharltonWeeks.com

Phyllis Stanin  
Todd Groundwater  
Watermaster Engineer  
Antelope Valley Watermaster  
2490 Mariner Square Loop, Suite 215  
Alameda, CA 94501

February 5, 2021

Re: *Consultation with Watermaster Engineer pursuant to Physical Solution and  
Request for Stipulation for Intervention*

Dear Ms. Stanin:

I represent the Antelope Valley Resource Conservation District ("Conservation District"). Pursuant to paragraph 20.9 of the Physical Solution, I send this letter to consult with you regarding its proposed intervention into the Antelope Valley Groundwater Case, Judicial Council Coordination Proceeding Case Number 4408. The Conservation District requests you stipulate that the Conservation District may intervene in the case, upon the conditions set forth in this letter.

### **Summary**

The Conservation District is a California Special District. It is an overlying groundwater user; the groundwater it produces is used exclusively on the property it owns. The property it owns is located exclusively within the adjudicated portion of the Antelope Valley.

The Conservation District seeks Overlying Production Rights pursuant to paragraph 5.1.1 of the Physical Solution, and requests it be added to Exhibit 4 of the Physical Solution. The Conservation District seeks Overlying Production Rights, as that term is defined in the Physical Solution.

This groundwater use will not cause any Material Injury, as defined by paragraph 3.5.8 of the Physical Solution, and thus no other party's groundwater use should be reduced.

The Conservation District's property is ten miles to the west of Lancaster, on the corner of Avenue I and 110<sup>th</sup> Street West. The parcel is slightly less than 80 acres. The occupied portion is approximately fourteen acres.

### **History of Resource Conservation Districts**

The history of the Conservation District was born out of the Dust Bowl and the Great Depression. The Dust Bowl was perhaps the most serious environmental catastrophe of its time, and combined with the Great Depression, caused significant economic problems for the nation and the nation's farmers.

The United States' response was The Soil Conservation Act of 1935. This Act established the Soil Conservation Service, which made funding available to farmers who implemented conservation practices on their land, such as crop rotation, creating windbreaks, the use of pastures, and paying farmers to retire old farmland. This law also resulted in the creation of a model State Soil Conservation District Law, which was adopted throughout the United States.

In urging states to create Soil Conservation Districts, President Roosevelt stated in a letter to all State Governors:

The dust storms and floods of the last few years have underscored the importance of programs to control soil erosion. I need not emphasize to you the seriousness of the problem and the desirability of our taking effective action, as a Nation and in the several States, to conserve the soil as our basic asset. The Nation that destroys its soil destroys itself.

...

To supplement the Federal programs, and safeguard their results, State legislation is needed. At the request of representatives from a number of States, and in cooperation with them, the Department of Agriculture has prepared a standard form of suitable State legislation for this purpose, generally referred to as the Standard State Soil Conservation Districts Law. The Act provides for the organization of "soil conservation districts" as governmental subdivisions of the State to carry on projects for erosion control, and to enact into law land-use regulations concerning soil erosion after such regulations have been approved in a referendum. Such legislation is imperative to enable farmers to take the necessary cooperative action.

Letter to all State Governors on a Uniform Soil Conservation Law, *February 26, 1937*.

In 1938, California adopted a modified version of this law, codified as California Resource Code §§ 9400 *et. seq.* California created a total of ninety-eight Resource Conservations Districts, which at the time were called Soil Conservation Districts.

In 1994, the Soil Conservation Service was renamed the Natural Resources Conservation Service. It is an agency of the United States Department of Agriculture and provides technical assistance to farmers and other private landowners and managers.

Resource Conservation Districts are an important resource to the public and to farmers. Unlike air and water, soil does not have its own sweeping protective statute. Soil erosion is mostly invisible to the public, and soil is often privately owned unlike air and water. Soil degradation is incremental and therefore invisible, and it can be compensated for in the short term with increasing applications of commercial fertilizer. Soil management techniques are considered land-use decisions, which are normally regulated at the local level, rather than at the state or federal level.

### **History of the Antelope Valley Resource Conservation District**

The Antelope Valley Resource Conservation District, formerly known as the Antelope Valley Soil Conservation District, was created in 1942. The jurisdictional boundaries of the Antelope Valley Resource Conservation District include the Antelope Valley, the Santa Clarita Valley, and a small portion of Ventura County.

Since its creation, the Conservation District had assisted the local public, farmers, and other governmental agencies with using the local lands.

### **History of the University of California Antelope Valley Field Station**

*The University of California Antelope Valley Field Station* was established in 1949 to meet research needs in California for dry-land and irrigated agriculture. In 1953, it moved to 10148 West Avenue I, Lancaster, California, 93536. This is an 80-acre parcel, which is currently owned by the Conservation District and is the basis of its water claim.

The University of California field station was a dry-land research station that included cultural and rotation studies, weed control, fertilizer studies, and testing in cereals. Field, vegetable, and horticultural crops were involved in the irrigated land program. Both the dry-land and irrigation problems were researched. The Antelope Valley Station was used primarily for research conducted by the University's Departments of Agronomy, Water Science and Engineering, Pomology, and Soils and Plant Nutrition.

This property has one groundwater well, and it was drilled by the University of California when the station moved in 1953. See Exhibit One for a copy of the deeds transferring the property to the University of California. The deed is dated October 17, 1952, and another portion of the property was deeded October 27, 1955.

Attached hereto as Exhibit Two is an article from California Agriculture from 1963, which includes pictures of the property. The article described the Antelope Valley Station work in both dryland and irrigated agriculture, such as oats, barley, wheat, and rye.

Perhaps earlier, but not later than, September 10, 1969, the property was leased from the University of California to the Conservation District. The lease amended June 12, 1972 is attached hereto as Exhibit Three.

In 1979, the Conservation District purchased the property, see Exhibit Four. The Conservation District has used this property since no later than September 10, 1969 and owned the property since 1979.

### **History of Groundwater Use on the Property**

The only source of water for the property is the groundwater well on the property. There is no utility service, nor has water been delivered to the property from adjoining properties or other locations.

The water use on the property was for the nursery and for two residences located on the property. The residences were for use by Conservation District employees, who worked at the property. Since the time the Conservation District leased the property, it has been used as a nursery.

The purpose of the nursery is to grow species of plants native to the Antelope Valley and to contract grow plants in greenhouses for primarily governmental organizations. Local plants prosper in the High Desert climate of the Antelope Valley. By nature, these plants use a very small amount of water.

The historical total land used by the nursery is fourteen acres. This is the area used for growing, residences, showing the plants for sale, and a community garden.

#### **Calculation of Historical Groundwater Use on the Property**

The well on the property is one of the United States Geological Service groundwater monitoring wells. I have data from this well from 1953, which the District will share. Unfortunately, this data only shows static water levels.

Until recently, the well was not metered. There are also not sufficient electrical usage records to calculate historical water usage in that fashion prior to June 2010. The District hired an engineer, who has calculated historical water use, but this information starts June 2010. The engineer calculated water use by reviewing electricity used by the well through May 2019. I understand that calculation of the District's groundwater rights will require a determination of water use prior to 2010.

The following is the amount of water produced and used on the property:

Year	Amount (AF)
Jun – Dec 2010	4.66
2011	15.90
2012	18.09
2013	19.78
2014	23.81
2015	25.17
2016	38.16
2017	25.39
2018	28.92
Jan – May 2019	4.76

Since electrical records are not available prior to June of 2010, historical groundwater use will need to be extrapolated from the historical crops grown on the property.

**Request for Assistance to Watermaster Engineer**

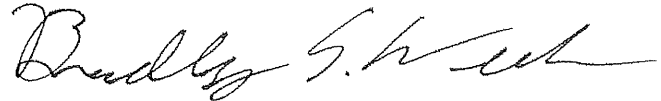
The Resource Conservation District requests the assistance of the Watermaster Engineer to assist it in calculating its historical groundwater use from 1953 through May 2010, for the purpose of determining a groundwater claim.

**Acknowledgement of Obligations under Settlement Agreement**

The Conservation District acknowledges that other public overlying property owners, such as Antelope Valley East Kern Water District and the City of Los Angeles, compromised their overlying groundwater rights for the sake of protecting the basin. The Conservation District does not wish to be in a better position than the other public overlying property owners, and agrees to compromise its overlying groundwater rights commensurate with the compromises made by the other public overlying property owners.

Please call me when you receive this letter, so that we can further discuss this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bradley T. Weeks", with a stylized, flowing script.

Bradley T. Weeks  
Attorney at Law

REQUEST FOR STIPULATION FOR INTERVENTION  
EXHIBIT ONE

Grant Deed

222

For value received RUDOLPH A. SCHWANDT and CHARLOTTE SCHWANDT, husband and wife, parties of the first part, hereby

GRANT to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation party of the second part,

all the real property situate in the  
County of Los Angeles, State of California, described as follows.

The northeast quarter of the northeast quarter of Section 13,  
Township 7 North Range 14 West, San Bernardino meridian, according  
to the official plat of the survey of said land on file in the  
Bureau of Land Management.

WITNESS our hands this 17th day of October 1952.

Rudolph A. Schwandt  
Charlotte Schwandt



## Grant Deed

For value received RUDOLPH A. SCHWANDT and CHARLOTTE SCHWANDT, husband and wife, parties of the first part, hereby

GRANT.....to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation party of the second part,

all the real property situate in the  
County of Los Angeles, State of California, described as follows.

The southeast quarter of the northeast quarter of Section 13,  
Township 7 North Range 14 West, San Bernardino meridian, according  
to the official plat of the survey of said land on file in the  
Bureau of Land Management.

WITNESS our hands this 22<sup>nd</sup> day of October, 1955

Rudolph A. Schwandt  
Rudolph A. Schwandt

Charlotte Schwandt  
Charlotte Schwandt

REQUEST FOR STIPULATION FOR INTERVENTION  
EXHIBIT TWO



DIVISION OF AGRICULTURAL SCIENCES • UNIVERSITY OF CALIFORNIA

# CALIFORNIA AGRICULTURE

Volume 17

Number 9

SEPTEMBER

1963

**Ground Water  
Recharge Problems**

Page 2

**Wind Protection  
For Asparagus**

Page 4

**Water Temperature  
Studies for Rice**

Page 6

**Antelope Valley  
Field Station**

Page 8

**Livestock Shades**

Page 10

**Ethyl Alcohol in  
Feedlot Tests**

Page 11

**Kinins Stimulate  
Grape Growth**

Page 12

**Cantaloupe  
Powdery Mildew**

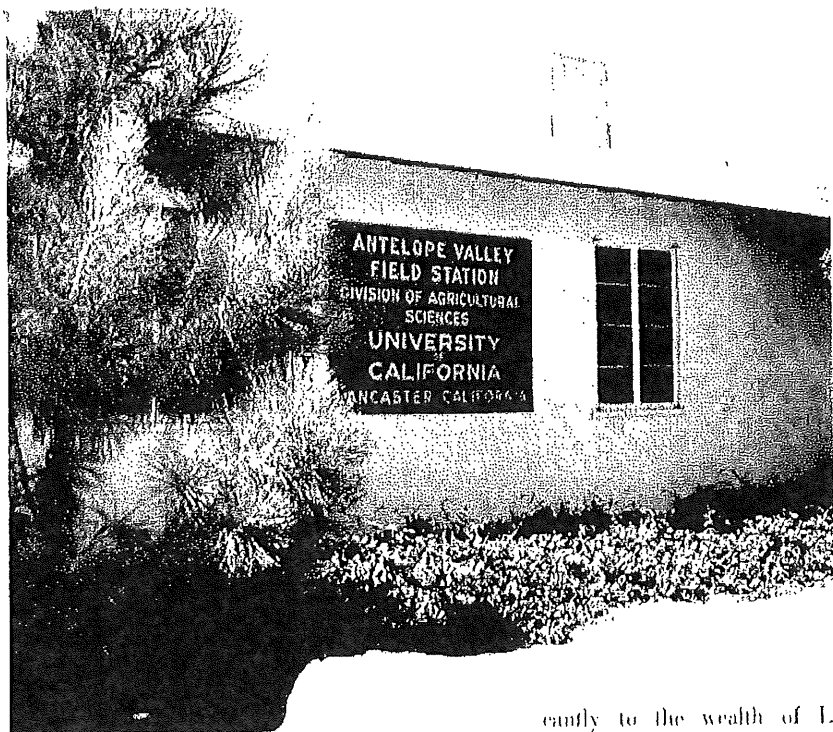
Page 13

**Slow Release  
Fertilizers for  
Poinsettias**

Page 14



Reports of Progress in Research by the California Agricultural Experiment Station



## Antelope Valley Field Station

**Y**EARS AGO, a traveler would probably have hurried through the sage brush and Joshua trees of the Antelope Valley's desert wasteland. Today, thanks to the introduction of water and adapted crop varieties, this valley contributes signifi-

This is the fifth article of a series featuring the agricultural field stations operated by the University of California. The stations are located from the Oregon to the Mexican borders. A brochure locating and describing all of the field stations is available free. Write to AGRICULTURAL PUBLICATIONS, University Hall, University of California, Berkeley 4, California.

cantly to the wealth of Los Angeles County, which still rates among the top agricultural counties of the nation, despite urbanization. Much of the area is now green with field and row crops and some fruit is produced around Littlerock and Pearblossom.

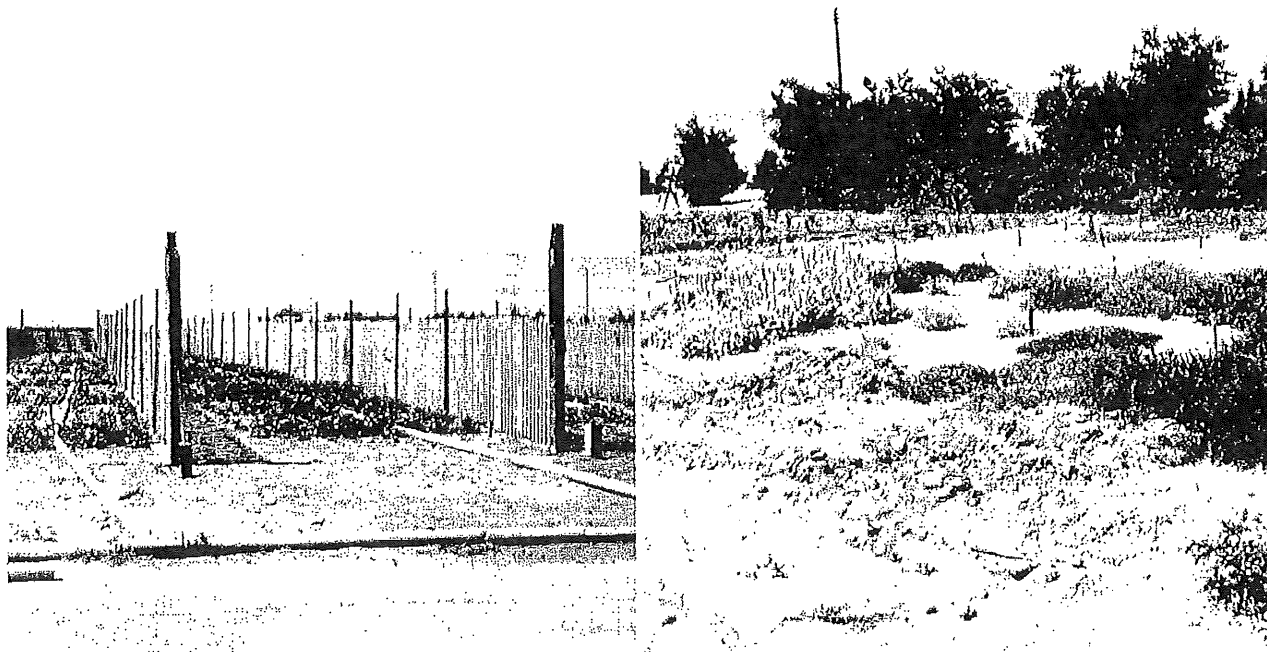
Hot summers, cold winters and almost year-around winds of this relatively high-altitude desert area (2,500 feet) create special problems for farmers. The University's agricultural field station, now on an 80-acre plot of land about 10 miles west of Lancaster, was first established in 1949 at another site and was moved in 1953 to the present location. In addition to assisting with localized farm problems, the station's particular climatic condi-

tions make it also valuable in statewide agricultural research programs.

Research work at the Antelope Valley Field Station is about equally divided between dryland and irrigated agriculture. Dryland research, mostly on cereals, consists of cultural and rotation studies, weed control, fertilizer studies and variety testing. Work on irrigated plots deals with field, vegetable and horticultural crops. Soils and irrigation studies are conducted in connection with both the dryland and irrigation research programs. Research at the station is directed by the station staff and scientists from the Riverside, Los Angeles and Davis campuses. A listing of the projects currently underway is included on the opposite page.

Cereal test plots with plantings of oats, barley, wheat, and rye are aimed at determining best varieties of these grains for the Antelope Valley.





Left photo: propagation nursery area at the Antelope Valley Field Station is used primarily for production of strawberry plants, which are then tested in other areas of the state. Windbreaks are not part of the test, but were necessary to protect the plants from the high winds characteristic of the region. Right photo: ground covers and ornamentals being tested in plots at the Antelope Valley Field Station to determine which plants survive the cold winters and hot, windy summers prevailing in the Antelope Valley area.

Resistance to water penetration of some soils in the Antelope Valley is being studied in this test plot at the Antelope Valley Field Station. Alfalfa is being grown on soil that will not accept water readily. Neutron access tubes allow sub-surface water movement studies aimed at improving crop yields and quality.

#### SOME CURRENT PROJECTS AT ANTELOPE VALLEY FIELD STATION

*Dry-farmed grainland tillage and fertility investigations for Antelope Valley:* Ralph Luebs, A.R.S. and Dept. of Agronomy, Riverside, and Wylie D. Burge, Superintendent, Antelope Valley Field Station.

*Small grain variety trials for the Antelope Valley:* C. A. Suneson, Dept. of Agronomy, Davis, and W. D. Burge.

*Sugar beet weed control, management of pre-emergence herbicides under both sprinkler and row irrigation:* L. S. Jordan, Dept. of Horticulture, Riverside; W. H. Isom, Agricultural Extension, Riverside, and W. D. Burge.

*Sugar beet nitrogen management trial:* R. S. Loomis, Dept. of Agronomy, Davis; F. J. Hills, Agricultural Extension, Davis, and W. D. Burge.

*Tomato varieties observation plantings for the Antelope Valley:* Hunter Johnson, Agricultural Extension, and W. D. Burge.

*Alfalfa variety trial for the Antelope Valley:* W. H. Isom, Agricultural Extension; W. H. Lehman, Dept. of Agronomy, El Centro; D. M. May, Agricultural Extension, Lancaster, and W. D. Burge.

*Strawberry nursery selection increase:* Victor Voth, Pomology, South Coast Field Station.

*Evaluation of ground cover plants for landscape purposes:* R. D. Danielson, Landscape Horticulture, Davis.

*Effects of irrigation, manure and windbreaks on the production of sweet corn:* G. L. Cannell, Dept. of Vegetable Crops, Riverside, and W. D. Burge.

*Asparagus studies (effects of climatic conditions on the food reserves of five varieties of asparagus):* F. H. Takatori, Dept. of Vegetable Crops, Riverside; J. I. Stillman, Dept. of Vegetable Crops, Riverside, and O. D. McCoy, Dept. of Vegetable Crops, Riverside.

*Alfalfa poor-growth area improvement:* W. D. Burge, John Letey, Dept. of Soils and Plant Nutrition, Riverside; E. C. H. Hsia, Dept. of Irrigation and Soil Science, Los Angeles, and Nicholas Valoras, Dept. of Irrigation and Soil Science, Los Angeles.

*Engineering studies of floriculture and plant nursery studies:* R. L. Perry, Agricultural Engineering, Los Angeles, and R. M. Perkins, Agricultural Engineering, Los Angeles.

*Safflower irrigation and date of planting for the Antelope Valley:* D. M. Yermanos, Dept. of Agronomy, Riverside; R. E. Luebs, Dept. of Agronomy, Riverside, and W. D. Burge.

*Garlic observation planting:* Hunter Johnson, Agricultural Extension, Los Angeles.

*Flax regional yield test:* D. M. Yermanos, Dept. of Agronomy, Riverside.



REQUEST FOR STIPULATION FOR INTERVENTION  
EXHIBIT THREE

LEASE AMENDMENT

THIS LEASE AMENDMENT is entered into this  
12 day of June, 1972, by and between THE  
REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation,  
hereinafter referred to as "the University", and the  
ANTELOPE VALLEY SOIL CONSERVATION DISTRICT, a public cor-  
poration, hereinafter referred to as "the District",

W I T N E S S E T H:

WHEREAS, the University and the District have  
heretofore entered into a Lease, dated the 10th day of  
September, 1969, covering that certain site commonly known  
as the Antelope Valley Field Station, more specifically de-  
scribed as: Parcel 1: Northeast quarter of the northeast  
quarter of Section 13, Township 7 North Range 14 West, and  
Parcel 2: Southeast quarter of the northeast quarter of  
Section 13, Township 7 North, Range 14 West, together with  
the improvements thereon, including well, pump, irrigation  
pipeline and sprinkler systems; and

WHEREAS, said Lease was entered into by and between  
the University and the District pending the disposition of  
the property by the University; and

WHEREAS, a portion of said leased premises is to  
be sold to Southern California Edison Company,

NOW, THEREFORE, it is mutually agreed by and be-  
tween the University and the District as follows:

Said Lease dated the 10th day of September, 1969,  
is amended in the following respects effective June 12th,  
1972:

1. Paragraph 1 is amended to read:

"1. DESCRIPTION OF PREMISES. The University hereby leases and District hereby hires, on the terms and conditions hereinafter set forth, the following described property situated in Los Angeles County, State of California, together with the improvements thereon, including the well, pump, irrigation pipeline and sprinkler systems: Parcel 1: Northeast quarter of the northeast quarter of Section 13, Township 7 North Range 14 West. Parcel 2: Southeast quarter of the northeast quarter of Section 13, Township 7 North, Range 14 West. The following described parcel is excepted from said described property: Beginning at a found County Surveyor's Brass Cap Monument set at the East one-quarter corner of said Section 13, said East one-quarter corner being North  $00^{\circ} 18' 35''$  West, 2645.80 feet, measured along the Easterly line of said Section 13 from a found County Surveyor's Brass Cap Monument set at the Southeast corner of said Section 13; thence North  $89^{\circ} 50' 00''$  West, 1316.35 feet, more or less, measured along the Southerly line of the Southeast one-quarter of the Northeast one-quarter of said Section 13 to the Southwest corner of the Southeast one-quarter of the Northeast one-quarter of said Section 13, said Southwest corner being the True Point of Beginning; thence North  $00^{\circ} 10' 08''$  West, 753.18 feet, measured along the Westerly line of the Southeast one-quarter of the Northeast one-quarter of said Section 13, thence South  $33^{\circ} 52' 25''$  East, 908.91 feet, more or less, to a point in the Southerly line, said point being



North 89° 50' 00" West, 811.97 feet, measured along said Southerly line from the East one-quarter corner of said Section 13; thence North 89° 50' 00" West, 504.38 feet, more or less, measured along said Southerly line to the True Point of Beginning.

An executed copy of this Lease Amendment shall be attached to the executed copies of the aforementioned Lease held by the University and the District.

Except as herein provided, all terms, conditions, covenants of said Lease dated the 10th day of September, 1969, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Amendment the day and date first above written.

APPROVED AS TO FORM

*John F. Connelley*  
JOHN F. CONNELLEY  
ASSISTANT COUNSEL OF THE REGENTS  
OF THE UNIVERSITY OF CALIFORNIA

THE REGENTS OF THE UNIVERSITY  
OF CALIFORNIA

By *Virginia A. Patterson* 15  
ASSISTANT SECRETARY

ANTELOPE VALLEY SOIL CONSERVATION  
DISTRICT

By *R. K. ...*  
SECRET

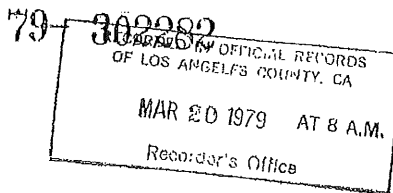
REQUEST FOR STIPULATION FOR INTERVENTION  
EXHIBIT FOUR

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME ANTELOPE VALLEY RESOURCE  
ADDRESS CONSERVATION DISTRICT  
805 West Avenue J  
CITY & STATE ZIP Lancaster, California 93534

Title Order No. 7781488 Escrow No. 172-21322



FREE T

SPACE ABOVE THIS LINE FOR RECORDED'S USE TO FORM:

## Corporation Grant Deed

APPROVED AS TO FORM:  
JAMES RICHARD, JR.  
ASSISTANT COUNSEL OF THE REGENTS  
OF THE UNIVERSITY OF CALIFORNIA

The undersigned declares that the documentary transfer tax is \$=0= and is

☐ computed on the full value of the interest or property conveyed, or is

☐ computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land, tenements or realty is located in

☒ unincorporated area ☐ city of \_\_\_\_\_ and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA,

a corporation organized under the laws of the State of California  
hereby GRANT(S) to

ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT

the following described real property in the unincorporated area  
County of Los Angeles, state of California:

The Northeast Quarter of the Northeast Quarter of Section 13, Township 7 North, Range 14 West, San Bernardino Meridian, in the County of Los Angeles, State of California, according to the Official Plat of the survey of said land.

Grantor reserves to itself the sole and exclusive right to prospect for, drill for, produce and take any oil, gas or other hydrocarbon substances or mineral substances and accompanying fluids from the real property granted herein from below the depth of one thousand feet (1000') from the surface of said real property the right to slant drill from adjacent property, the right to utilize subsurface storage for natural substances, and the right to maintain subsurface pressures. Grantor covenants and agrees that the above reserved rights will not be exercised in derogation of Grantee's existing uses and purposes of the surface of said real property.

Subject to:

1. Any covenants, conditions, restrictions, reservations, rights, rights of way and easements of record.

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Dated February 8, 1979

STATE OF CALIFORNIA

COUNTY OF Los Angeles } SS.

On this 8th day of February 1979 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert O. Reynolds

known to me to be the Chairman President, and

known to me to be

Secretary of the corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

Rowena Adams Geraghty  
Signature of Notary

Chairman

Secretary

FOR NOTARY SEAL OR STAMP



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name

Street Address

City & State

Order #7781488  
Escrow #172-21322

RESOLUTION OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant Deed dated February 8, 1979, from THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, to the ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT, a governmental agency, is hereby accepted by the undersigned officers on behalf of the ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT pursuant to authority conferred to resolution of the Directors adopted on March 1, 1979, and the Grantee consents to recordation thereof by its duly authorized officers.

DATED: March 19, 1979

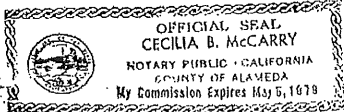
By Raymond H. Mueges Pres.  
By Stifford C. Cole

State of California } ss.  
County of Alameda

79- 302282

On this 12 day of March, 1979, before me, CECILIA B. McCARRY, a Notary Public, State of California, duly commissioned and sworn, personally appeared MARJORIE J. WOOLMAN known to me to be the Secretary of The Regents of the University of California, a public corporation, and known to me to be the person who executed the within instrument on behalf of said public corporation and acknowledged to me that The Regents of the University of California executed the same.

**In Witness Whereof,** I have hereunto set my hand and affixed my Official Seal, in the County of Alameda the day and year in this Certificate first above written.



Cecilia B. McCarry  
CECILIA B. McCARRY, Notary Public, State of California  
My Commission Expires May 5, 1979

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME  
ADDRESS  
CITY & STATE  
ZIP  
ANTELOPE VALLEY RESOURCE  
CONSERVATION DISTRICT  
805 West Avenue J  
Lancaster, California 93534

Title Order No. 7781488- Escrow No. 172-21322

79- 302283

RECORDED IN OFFICIAL RECORDS  
OF LOS ANGELES COUNTY, CA

MAR 20 1979 AT 8 A.M.

Recorder's Office

FREE 5 T

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APPROVED AS TO FORM:

## Corporation Grant Deed

*James Richard, Jr.*  
JAMES RICHARD, JR.  
ASSISTANT COUNSEL OF THE REGENTS  
OF THE UNIVERSITY OF CALIFORNIA  
and is

The undersigned declares that the documentary transfer tax is \$0.00 and is  
☐ computed on the full value of the interest or property conveyed, or is  
☐ computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land, tenements or realty is located in  
☒ unincorporated area ☐ city of \_\_\_\_\_ and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA,

a corporation organized under the laws of the State of California  
hereby GRANT(S) to

ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT

the following described real property in the unincorporated area  
County of Los Angeles, state of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Dated February 8, 1979

Chairman *Robert O. Reynolds*

Secretary *Michael A. ...*

STATE OF CALIFORNIA

COUNTY OF *Los Angeles* } ss.  
On *9th day of March* 1979 before me,  
the undersigned, a Notary Public in and for said County and State,  
personally appeared Robert O. Reynolds  
known to me to be the Chairman President, and

Secretary of the corporation that executed the within  
instrument, known to me to be the persons who executed the  
within instrument on behalf of the corporation therein named, and  
acknowledged to me that such corporation executed the within  
instrument pursuant to its by-laws or a resolution of its board of  
directors.

*Rowena Adams Geraghty*  
Signature of Notary

FOR NOTARY SEAL OR STAMP

OFFICIAL SEAL  
ROWENA ADAMS GERAGHTY  
NOTARY PUBLIC - CALIFORNIA  
PRINCIPAL OFFICE IN  
LOS ANGELES COUNTY  
My Commission Expires June 25, 1981

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Deed dated February 8, 1979  
Order #7781488  
Escrow #172-21322

EXHIBIT "A"

The Southeast Quarter of the Northeast Quarter of Section 13, Township 7 North, Range 14 West, San Bernardino Meridian, in the County of Los Angeles, State of California, according to the Official Plat of said land.

EXCEPT THEREFROM that portion granted to the Southern California Edison Company, by deed recorded September 21, 1972 as Instrument No. 346, described as follows:

That portion of the Southeast Quarter of the Northeast Quarter of Section 13, Township 7 North, Range 14 West, San Bernardino Meridian, lying within a strip of land 430 Feet wide, the side lines thereof being 330 Feet Northeasterly and 100 Feet Southwesterly, measured at right angles, respectively, from the surveyed reference line which is described as follows:

Beginning at a point in the Easterly Line of said Section 13, said point being North 00°18'35" West, 831.93 Feet, measured along said Easterly Line from a found County Surveyor's Brass Cap Monument set at the Southeast Corner of said Section 13, said point also being South 00°18'35" East, 1813.87 Feet, more or less, measured along said Easterly Line from a found County Surveyor's Brass Cap Monument set at the East Quarter Corner of said Section 13, said point being North 89°38'31" West, 363.06 Feet, measured along said Northerly Line from a found County Surveyor's Brass Cap Monument marked "R.E. 2177", set at the North Quarter Corner of said Section 13, said point also being South 89°38'31" East, 2277.63 Feet, more or less, measured along said Northerly Line from a found County Surveyor's Brass Cap Monument marked "R.E. 2177", set at the Northwest Corner of said Section 13,

EXCEPTING THEREFROM that portion thereof lying Northeasterly of the Southwesterly Line of that certain strip of land 200 Feet wide, as described in the right of way agreement by and between Marygold Investment Company, a corporation and Southern California Edison Company, a corporation, recorded as Instrument No. 992 in Book 5143 Page 266 of Official Records in the Office of the County Recorder of said County.

Grantor reserves to itself the sole and exclusive right to prospect for, drill for, produce and take any oil, gas or other hydrocarbon substances or mineral substances and accompanying fluids from the real property granted herein from below the depth of one thousand feet (1000') from the surface of said real property the right to slant drill from adjacent property, the right to utilize subsurface storage for natural substances, and the right to maintain subsurface pressures. Grantor covenants and agrees that the above reserved rights will not be exercised in derogation of Grantee's existing uses and purposes of the surface of said real property.

Subject to:

1. Any covenants, conditions, restrictions, reservations, rights, rights of way and easements of record.

79- 302283

Order #7781488  
Escrow #172-21322

RESOLUTION OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant Deed dated February 8, 1979, from THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, to the ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT, a governmental agency, is hereby accepted by the undersigned officer on behalf of the ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT pursuant to authority conferred to resolution of the Directors adopted on March 1, 1979, and the Grantee consents to recordation thereof by its duly authorized officers.

DATED: March 19, 1979

By Raymond H. Wueger Pres.

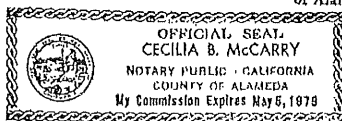
By Sheldon C. Gale

State of California }  
County of Alameda }

79- 302283

On this 12 day of March, 1979, before me, CECILIA B. McCARRY, a Notary Public, State of California, duly commissioned and sworn, personally appeared MARJORIE J. WOOLMAN known to me to be the Secretary of The Regents of the University of California, a public corporation, and known to me to be the person who executed the within instrument on behalf of said public corporation and acknowledged to me that The Regents of the University of California executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, in the County of Alameda the day and year in this Certificate first above written.



Cecilia B. McCarry  
CECILIA B. McCARRY, Notary Public, State of California  
My Commission Expires May 5, 1979

## **Exhibit 4**





## PRICE, POSTEL & PARMA LLP

*Counsellors at Law*

200 East Carrillo Street, Suite 400  
Santa Barbara, CA 93101-2190

Mailing Address: P.O. Box 99  
Santa Barbara, CA 93102-0099

[www.ppplaw.com](http://www.ppplaw.com)

Ph (805) 962-0011 Fax (805) 965-3978

E-mail: [cap@ppplaw.com](mailto:cap@ppplaw.com)

Timothy E. Metzinger  
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Hana Princip  
Paul A. Roberts  
Douglas D. Rossi  
Peter D. Slaughter  
Jeremy D. Stone  
David W. Van Horne  
C.E. Chip Wullbrandt  
Ryan D. Zick

---

### CAMERON PARK OFFICE

3330 Cameron Park Drive, Suite 100  
Cameron Park, CA 95682-7652  
Ph (805) 962-0011  
Fax (805) 965-3978

Todd A. Amspoker  
Kristen M. R. Blabey  
Shannon D. Boyd  
Timothy M. Cary  
Melissa J. Fassett  
Ian M. Fisher  
Arthur R. Gaudi  
Cameron Goodman  
Christopher E. Haskell  
James H. Hurley, Jr.  
Eric P. Hvolbøll  
Mark S. Manion  
Steven K. McGuire

---

Our File Number:  
23641-1

January 19, 2022

### VIA FEDEX AND EMAIL

Antelope Valley Resource Conservation District  
c/o Neal Weisenberger  
PO Box 3396  
Quartz Hill, CA 93586

[nealweisenberger@gmail.com](mailto:nealweisenberger@gmail.com)

Bradley Weeks  
Charlton Weeks LLP  
1031 West Avenue M-14, Suite A  
Palmdale, CA 93551

[brad@charltonweeks.com](mailto:brad@charltonweeks.com)

Re: Pumping of Groundwater from the Antelope Valley Adjudicated Basin

Dear Mr. Weisenberger and Mr. Weeks:

On November 13, 2020, I sent you correspondence requesting that you immediately comply with Section 20.9 of the Judgment, which provides a process for Non-Parties to intervene in the Judgment to become a Party and to then seek the right to produce groundwater from the Basin. If you intervene in the Judgment and obtain a right to produce groundwater from the Basin, you may be able to acquire transfer water or will be required to pay Replacement Water Assessments for your groundwater production. If you continue to pump groundwater without intervening in the Judgment, the Watermaster will ask the Court to require you to pay Replacement Water Assessments for all past unauthorized groundwater pumping, that you be prevented from further pumping in the Basin, and will also seek to recover all attorney's fees and other direct and indirect costs incurred in this legal process.

**Antelope Valley Resource Conservation District**

Re: Pumping of Groundwater from the Antelope Valley Adjudicated Basin

January 19, 2022

Page 2

This is your final warning to immediately contact Watermaster Administrative offices at (661) 234-8233, or 5022 West Avenue N, Suite 102, #158, Palmdale, CA 93551, or [afitzpatrick@avwatermaster.net](mailto:afitzpatrick@avwatermaster.net) and [prose@avwatermaster.net](mailto:prose@avwatermaster.net), so that Watermaster Administrative staff can explain your options and address your groundwater usage in the Basin.

If you do not fully comply with your obligations under the Judgment as set forth above within thirty (30) days from the date of this letter, the Watermaster Board has authorized me to initiate legal proceedings as outlined above.

Very truly yours,



Craig A. Parton  
for PRICE, POSTEL & PARMA LLP

cc: Watermaster Board  
Watermaster Engineer  
Watermaster Administrative Staff

## **Exhibit 5**

James W. M. Charlton  
Bradley T. Weeks  
Lisa A. Doran  
Rikka J. Fountain



1031 West Avenue M-14, Suite A  
Palmdale, CA 93551  
(661) 265-0969  
Fax (661) 265-1650  
www.CharltonWeeks.com

Phyllis Stanin  
Todd Groundwater  
Watermaster Engineer  
Antelope Valley Watermaster  
2490 Mariner Square Loop, Suite 215  
Alameda, CA 94501

March 9, 2022

*Re: Consultation with Watermaster Engineer pursuant to Physical Solution and  
Request for Stipulation for Intervention*

Dear Ms. Stanin:

I represent the Antelope Valley Resource Conservation District ("Conservation District"). Pursuant to paragraph 20.9 of the Physical Solution, I send this letter to consult with you regarding its proposed intervention into the Antelope Valley Groundwater Case, Judicial Council Coordination Proceeding Case Number 4408. The Conservation District requests you stipulate that the Conservation District may intervene in the case, upon the conditions set forth in this letter.

#### **Summary**

The Conservation District is a California Special District. It is an overlying groundwater user; the groundwater it produces is used exclusively on the property it owns. The property it owns is located exclusively within the adjudicated portion of the Antelope Valley.

The Conservation District seeks Overlying Production Rights pursuant to paragraph 5.1.1 of the Physical Solution, and requests it be added to Exhibit 4 of the Physical Solution. The Conservation District seeks Overlying Production Rights, as that term is defined in the Physical Solution. The Conservation District seeks a Production Right of 17.94 acre feet, less the discount discussed below.

This groundwater use will not cause any Material Injury, as defined by paragraph 3.5.8 of the Physical Solution, and thus no other party's groundwater use should be reduced.

The Conservation District's property is ten miles to the west of Lancaster, on the corner of Avenue I and 110<sup>th</sup> Street West. The parcel is slightly less than 80 acres. The occupied portion is approximately fourteen acres.

#### **History of Resource Conservation Districts**

The history of the Conservation District was born out of the Dust Bowl and the Great Depression. The Dust Bowl was perhaps the most serious environmental catastrophe of its time, and combined with the Great Depression, caused significant economic problems for the nation and the nation's farmers.

The United States' response was The Soil Conservation Act of 1935. This Act established the Soil Conservation Service, which made funding available to farmers who implemented conservation practices on their land, such as crop rotation, creating windbreaks, the use of pastures, and paying farmers to retire old farmland. This law also resulted in the creation of a model State Soil Conservation District Law, which was adopted throughout the United States.

In urging states to create Soil Conservation Districts, President Roosevelt stated in a letter to all State Governors:

The dust storms and floods of the last few years have underscored the importance of programs to control soil erosion. I need not emphasize to you the seriousness of the problem and the desirability of our taking effective action, as a Nation and in the several States, to conserve the soil as our basic asset. The Nation that destroys its soil destroys itself.

...

To supplement the Federal programs, and safeguard their results, State legislation is needed. At the request of representatives from a number of States, and in cooperation with them, the Department of Agriculture has prepared a standard form of suitable State legislation for this purpose, generally referred to as the Standard State Soil Conservation Districts Law. The Act provides for the organization of "soil conservation districts" as governmental subdivisions of the State to carry on projects for erosion control, and to enact into law land-use regulations concerning soil erosion after such regulations have been approved in a referendum. Such legislation is imperative to enable farmers to take the necessary cooperative action.

Letter to all State Governors on a Uniform Soil Conservation Law, *February 26, 1937*.

In 1938, California adopted a modified version of this law, codified as California Resource Code §§ 9400 *et. seq.* California created a total of ninety-eight Resource Conservation Districts, which at the time were called Soil Conservation Districts.

In 1994, the Soil Conservation Service was renamed the Natural Resources Conservation Service. It is an agency of the United States Department of Agriculture and provides technical assistance to farmers and other private landowners and managers.

Resource Conservation Districts are an important resource to the public and to farmers. Unlike air and water, soil does not have its own sweeping protective statute. Soil erosion is mostly invisible to the public, and soil is often privately owned unlike air and water. Soil degradation is incremental and therefore invisible, and it can be compensated for in the short term with increasing applications of commercial fertilizer. Soil management techniques are considered land-use decisions, which are normally regulated at the local level, rather than at the state or federal level.

### **History of the Antelope Valley Resource Conservation District**

The Antelope Valley Resource Conservation District, formerly known as the Antelope Valley Soil Conservation District, was created in 1942. The jurisdictional boundaries of the Antelope Valley Resource Conservation District include the Antelope Valley, the Santa Clarita Valley, and a small portion of Ventura County.

Since its creation, the Conservation District had assisted the local public, farmers, and other governmental agencies with using the local lands.

### **History of the University of California Antelope Valley Field Station**

*The University of California Antelope Valley Field Station* was established in 1949 to meet research needs in California for dry-land and irrigated agriculture. In 1953, it moved to 10148 West Avenue I, Lancaster, California, 93536. This is an 80-acre parcel, which is currently owned by the Conservation District and is the basis of its water claim.

The University of California field station was a dry-land research station that included cultural and rotation studies, weed control, fertilizer studies, and testing in cereals. Field, vegetable, and horticultural crops were involved in the irrigated land program. Both the dry-land and irrigation problems were researched. The Antelope Valley Station was used primarily for research conducted by the University's Departments of Agronomy, Water Science and Engineering, Pomology, and Soils and Plant Nutrition.

This property has one groundwater well, and it was drilled by the University of California when the station moved in 1953. See Exhibit One for a copy of the deeds transferring the property to the University of California. The deed is dated October 17, 1952, and another portion of the property was deeded October 27, 1955.

Attached hereto as Exhibit Two is an article from California Agriculture from 1963, which includes pictures of the property. The article described the Antelope Valley Station work in both dryland and irrigated agriculture, such as oats, barley, wheat, and rye.

Perhaps earlier, but not later than, September 10, 1969, the property was leased from the University of California to the Conservation District. The lease amended June 12, 1972 is attached hereto as Exhibit Three.

In 1979, the Conservation District purchased the property, see Exhibit Three. The Conservation District has used this property since no later than September 10, 1969 and owned the property since 1979.

### **History of Groundwater Use on the Property**

The only source of water for the property is the groundwater well on the property. There is no utility service, nor has water been delivered to the property from adjoining properties or other locations.

The water use on the property was for the nursery and for two residences located on the property. The residences were for use by Conservation District employees, who worked at the property. Since the time the Conservation District leased the property, it has been used as a nursery.

The purpose of the nursery is to grow species of plants native to the Antelope Valley and to contract grow plants in greenhouses for primarily governmental organizations. Local plants prosper in the High Desert climate of the Antelope Valley. By nature, these plants use a very small amount of water.

The historical total land used by the nursery is fourteen acres. This is the area used for growing, residences, showing the plants for sale, and a community garden.

#### **Calculation of Historical Groundwater Use on the Property**

The well on the property is one of the United States Geological Service groundwater monitoring wells. I have data from this well from 1953, which the District will share. Unfortunately, this data only shows static water levels.

Until recently, the well was not metered. There is not sufficient electrical usage records to calculate historical water usage, in that fashion, prior to June 2010. The current president of the District is Neal A. Weisenberger. He is a retired Professor of Agriculture, Landscape Construction and Botany from the Antelope Valley Community College. He has calculated historical water usage using the Evapotranspirative Requirement for turf. See Exhibit Five for President Weisenberger's report.

This report shows the historical water use in the years prior to the filing of the first amended cross-complaint in 2007. This would also be the estimated water use from 2008 through 2012. The District's use of its property was unchanged for many years prior to 2012, so during any five year period, the water use would not materially vary.

If you would like to interview Mr. Weisenberger regarding his data or methodology, please let me know and I will make him available.

#### **Acknowledgement of Obligations under Settlement Agreement**

The Conservation District acknowledges that other public overlying property owners, such as Antelope Valley East Kern Water District and the City of Los Angeles, compromised their overlying groundwater rights for the sake of protecting the basin. The Conservation District does not wish to be in a better position than the other public overlying property owners, and also agrees to compromise its overlying groundwater rights commensurate with the compromises made by the other public overlying property owners.


Charlton Weeks LLP

*Attorneys at Law*

Page 5

Please call me when you receive this letter, so that we can further discuss this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bradley T. Weeks", with a stylized flourish extending to the right.

Bradley T. Weeks

Attorney at Law

cc: Craig A. Parton  
Price, Postel & Parma LLP  
P.O. Box 99  
Santa Barbara, CA 93102



REQUEST FOR STIPULATION FOR INTERVENTION  
EXHIBIT ONE

## Grant Deed

For value received RUDOLPH A. SCHWANDT and CHARLOTTE SCHWANDT, husband and wife, parties of the first part, hereby

GRANT to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation party of the second part,

all the real property situate in the  
County of Los Angeles, State of California, described as follows.

The southeast quarter of the northeast quarter of Section 13,  
Township 7 North Range 14 West, San Bernardino meridian, according  
to the official plat of the survey of said land on file in the  
Bureau of Land Management.

WITNESS ourhands this 27<sup>th</sup> day of October, 1955

Rudolph A. Schwandt  
Rudolph A. Schwandt  
Charlotte Schwandt  
Charlotte Schwandt

Grant Deed

222

For value received RUDOLPH A. SCHWANDT and CHARLOTTE SCHWANDT, husband and wife, parties of the first part, hereby

GRANT to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation party of the second part,

all the real property situate in the  
County of Los Angeles, State of California, described as follows.

The northeast quarter of the northeast quarter of Section 13,  
Township 7 North Range 14 West, San Bernardino meridian, according  
to the official plat of the survey of said land on file in the  
Bureau of Land Management.

WITNESS our hands this 17th day of October 1952.

Rudolph A. Schwandt  
Charlotte Schwandt

REQUEST FOR STIPULATION FOR INTERVENTION  
EXHIBIT TWO



DIVISION OF AGRICULTURAL SCIENCES • UNIVERSITY OF CALIFORNIA

# CALIFORNIA AGRICULTURE

Volume 17

Number 9

SEPTEMBER

1963

**Ground Water  
Recharge Problems**

Page 2

**Wind Protection  
For Asparagus**

Page 4

**Water Temperature  
Studies for Rice**

Page 6

**Antelope Valley  
Field Station**

Page 8

**Livestock Shades**

Page 10

**Ethyl Alcohol in  
Feedlot Tests**

Page 11

**Kinins Stimulate  
Grape Growth**

Page 12

**Cantaloupe  
Powdery Mildew**

Page 13

**Slow Release  
Fertilizers for  
Poinsettias**

Page 14



*Antelope Valley Field Station*

Reports of Progress in Research by the California Agricultural Experiment Station



## Antelope Valley Field Station

**Y**EARS AGO, a traveler would probably have hurried through the sage brush and Joshua trees of the Antelope Valley's desert wasteland. Today, thanks to the introduction of water and adapted crop varieties, this valley contributes signifi-

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This is the fifth article of a series featuring the agricultural field stations operated by the University of California. The stations are located from the Oregon to the Mexican borders. A brochure locating and describing all of the field stations is available free. Write to AGRICULTURAL PUBLICATIONS, University Hall, University of California, Berkeley 4, California.

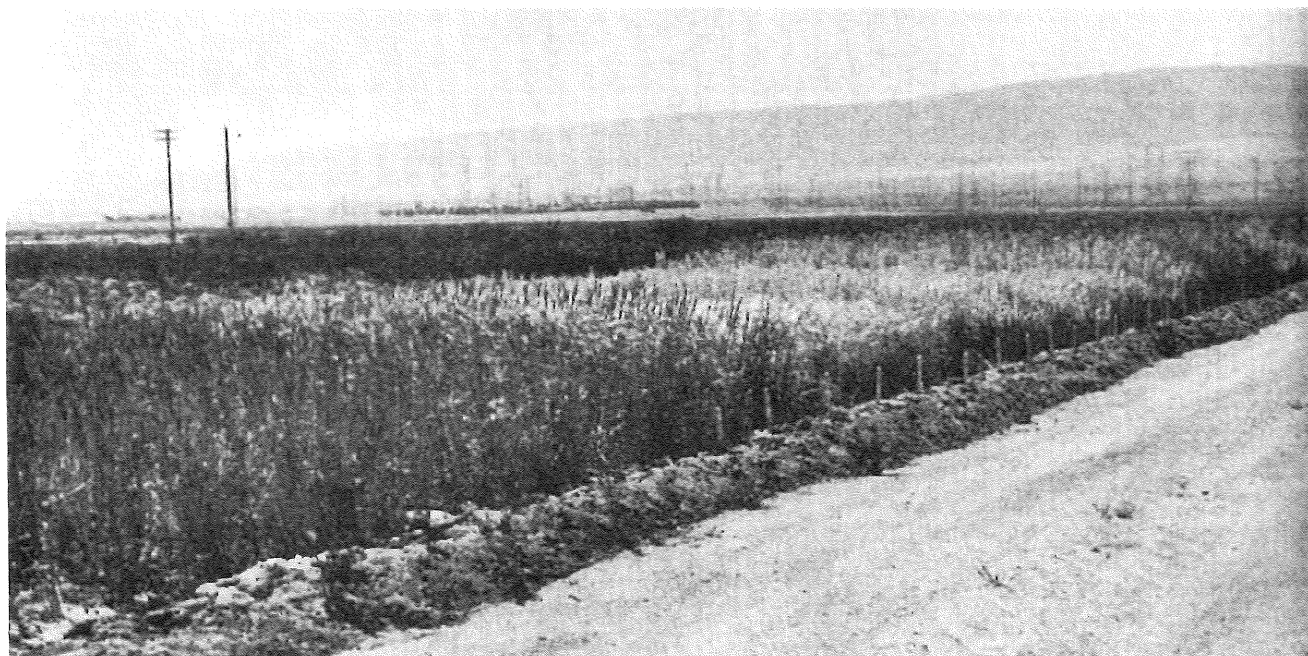
cantly to the wealth of Los Angeles County, which still rates among the top agricultural counties of the nation, despite urbanization. Much of the area is now green with field and row crops and some fruit is produced around Littlerock and Pearblossom.

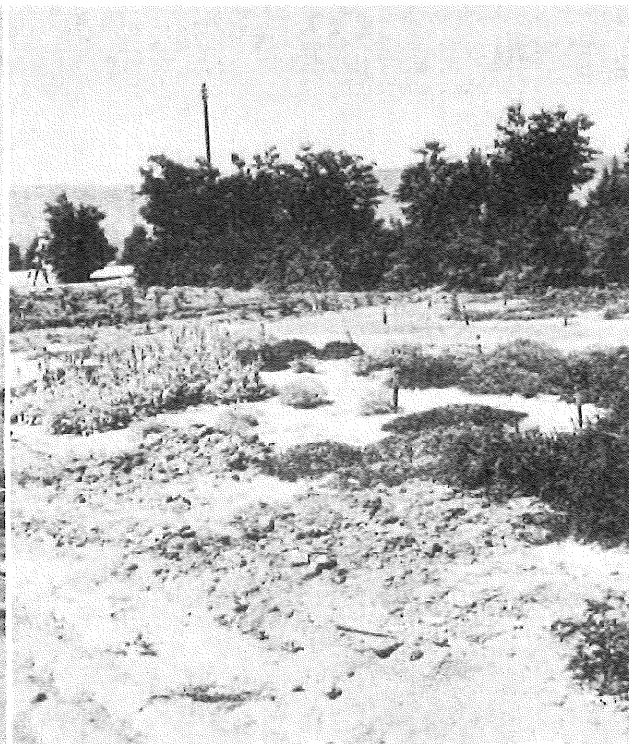
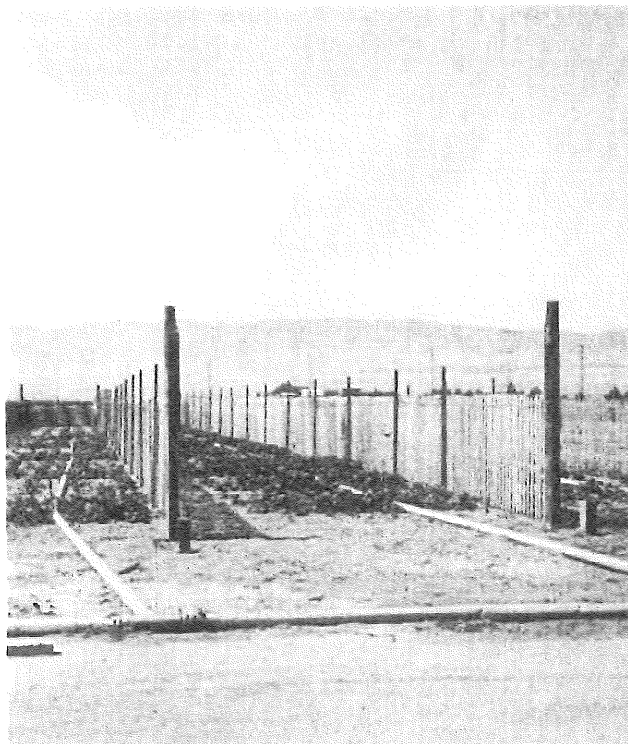
Hot summers, cold winters and almost year-around winds of this relatively high-altitude desert area (2,500 feet) create special problems for farmers. The University's agricultural field station, now on an 80-acre plot of land about 10 miles west of Lancaster, was first established in 1949 at another site and was moved in 1953 to the present location. In addition to assisting with localized farm problems, the station's particular climatic condi-

tions make it also valuable in statewide agricultural research programs.

Research work at the Antelope Valley Field Station is about equally divided between dryland and irrigated agriculture. Dryland research, mostly on cereals, consists of cultural and rotation studies, weed control, fertilizer studies and variety testing. Work on irrigated plots deals with field, vegetable and horticultural crops. Soils and irrigation studies are conducted in connection with both the dryland and irrigation research programs. Research at the station is directed by the station staff and scientists from the Riverside, Los Angeles and Davis campuses. A listing of the projects currently underway is included on the opposite page.

Cereal test plots with plantings of oats, barley, wheat, and rye are aimed at determining best varieties of these grains for the Antelope Valley.





Left photo: propagation nursery area at the Antelope Valley Field Station is used primarily for production of strawberry plants, which are then tested in other areas of the state. Windbreaks are not part of the test, but were necessary to protect the plants from the high winds characteristic of the region. Right photo: ground covers and ornamentals being tested in plots at the Antelope Valley Field Station to determine which plants survive the cold winters and hot, windy summers prevailing in the Antelope Valley area.

Resistance to water penetration of some soils in the Antelope Valley is being studied in this test plot at the Antelope Valley Field Station. Alfalfa is being grown on soil that will not accept water readily. Neutron access tubes allow sub-surface water movement studies aimed at improving crop yields and quality.

#### SOME CURRENT PROJECTS AT ANTELOPE VALLEY FIELD STATION

*Dry-farmed grainland tillage and fertility investigations for Antelope Valley:* Ralph Luebs, A.R.S. and Dept. of Agronomy, Riverside, and Wylie D. Burge, Superintendent, Antelope Valley Field Station.

*Small grain variety trials for the Antelope Valley:* C. A. Suneson, Dept. of Agronomy, Davis, and W. D. Burge.

*Sugar beet weed control, management of pre-emergence herbicides under both sprinkler and row irrigation:* L. S. Jordan, Dept. of Horticulture, Riverside; W. H. Isom, Agricultural Extension, Riverside, and W. D. Burge.

*Sugar beet nitrogen management trial:* R. S. Loomis, Dept. of Agronomy, Davis; F. J. Hills, Agricultural Extension, Davis, and W. D. Burge.

*Tomato varieties observation plantings for the Antelope Valley:* Hunter Johnson, Agricultural Extension, and W. D. Burge.

*Alfalfa variety trial for the Antelope Valley:* W. H. Isom, Agricultural Extension; W. H. Lehman, Dept. of Agronomy, El Centro; D. M. May, Agricultural Extension, Lancaster, and W. D. Burge.

*Strawberry nursery selection increase:* Victor Voth, Pomology, South Coast Field Station.

*Evaluation of ground cover plants for landscape purposes:* R. D. Danielson, Landscape Horticulture, Davis.

*Effects of irrigation, manure and windbreaks on the production of sweet corn:* G. L. Cannell, Dept. of Vegetable Crops, Riverside, and W. D. Burge.

*Asparagus studies (effects of climatic conditions on the food reserves of five varieties of asparagus):* F. H. Takatori, Dept. of Vegetable Crops, Riverside; J. I. Stillman, Dept. of Vegetable Crops, Riverside, and O. D. McCoy, Dept. of Vegetable Crops, Riverside.

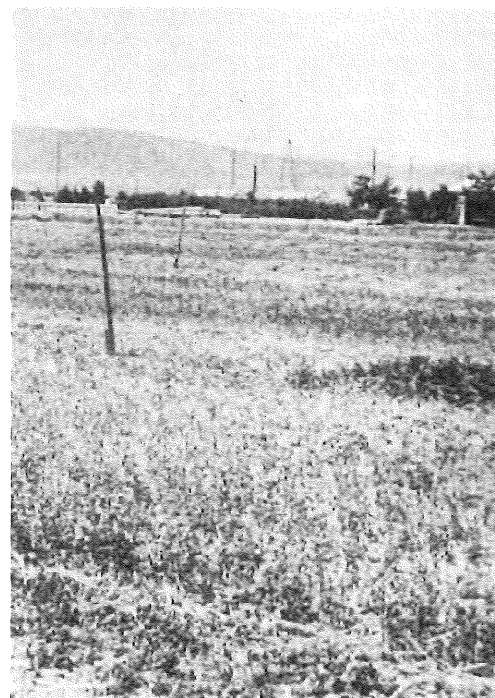
*Alfalfa poor-growth area improvement:* W. D. Burge, John Letey, Dept. of Soils and Plant Nutrition, Riverside; E. C. H. Hsia, Dept. of Irrigation and Soil Science, Los Angeles, and Nicholas Valoras, Dept. of Irrigation and Soil Science, Los Angeles.

*Engineering studies of floriculture and plant nursery studies:* R. L. Perry, Agricultural Engineering, Los Angeles, and R. M. Perkins, Agricultural Engineering, Los Angeles.

*Safflower irrigation and date of planting for the Antelope Valley:* D. M. Yermanos, Dept. of Agronomy, Riverside; R. E. Luebs, Dept. of Agronomy, Riverside, and W. D. Burge.

*Garlic observation planting:* Hunter Johnson, Agricultural Extension, Los Angeles.

*Flax regional yield test:* D. M. Yermanos, Dept. of Agronomy, Riverside.



REQUEST FOR STIPULATION FOR INTERVENTION  
EXHIBIT THREE



LEASE AMENDMENT

THIS LEASE AMENDMENT is entered into this  
12 day of September, 1972, by and between "THE  
REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation,  
hereinafter referred to as "the University", and the  
ANTELOPE VALLEY SOIL CONSERVATION DISTRICT, a public cor-  
poration, hereinafter referred to as "the District",

W I T N E S S E T H:

WHEREAS, the University and the District have  
heretofore entered into a Lease, dated the 10th day of  
September, 1969, covering that certain site commonly known  
as the Antelope Valley Field Station, more specifically de-  
scribed as: Parcel 1: Northeast quarter of the northeast  
quarter of Section 13, Township 7 North Range 14 West, and  
Parcel 2: Southeast quarter of the northeast quarter of  
Section 13, Township 7 North, Range 14 West, together with  
the improvements thereon, including well, pump, irrigation  
pipeline and sprinkler systems; and

WHEREAS, said Lease was entered into by and between  
the University and the District pending the disposition of  
the property by the University; and

WHEREAS, a portion of said leased premises is to  
be sold to Southern California Edison Company,

NOW, THEREFORE, it is mutually agreed by and be-  
tween the University and the District as follows:

Said Lease dated the 10th day of September, 1969,  
is amended in the following respects effective June 12th,  
1972:

1. Paragraph 1 is amended to read:

"1. DESCRIPTION OF PREMISES. The University hereby leases and District hereby hires, on the terms and conditions hereinafter set forth, the following described property situated in Los Angeles County, State of California, together with the improvements thereon, including the well, pump, irrigation pipeline and sprinkler systems: Parcel 1: Northeast quarter of the northeast quarter of Section 13, Township 7 North Range 14 West, Parcel 2: Southeast quarter of the northeast quarter of Section 13, Township 7 North, Range 14 West. The following described parcel is excepted from said described property: Beginning at a found County Surveyor's Brass Cap Monument set at the East one-quarter corner of said Section 13, said East one-quarter corner being North 00° 18' 35" West, 2645.80 feet, measured along the easterly line of said Section 13 from a found County Surveyor's Brass Cap Monument set at the Southeast corner of said Section 13; thence North 89° 50' 00" West, 1316.35 feet, more or less, measured along the southerly line of the Southeast one-quarter of the Northeast one-quarter of said Section 13 to the Southwest corner of the Southeast one-quarter of the Northeast one-quarter of said Section 13, said Southwest corner being the True Point of Beginning; thence North 00° 10' 08" West, 753.18 feet, measured along the westerly line of the Southeast one-quarter of the Northeast one-quarter of said Section 13, thence South 33° 52' 25" East, 908.91 feet, more or less, to a point in the southerly line, said point being

North 89° 50' 00" West, 811.97 feet, measured along said Southerly line from the East one-quarter corner of said Section 13; thence North 89° 50' 00" West, 594.38 feet, more or less, measured along said Southerly line to the True Point of Beginning.

An executed copy of this Lease Amendment shall be attached to the executed copies of the aforementioned Lease held by the University and the District.

Except as herein provided, all terms, conditions, covenants of said Lease dated the 10th day of September, 1969, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Amendment the day and date first above written.

APPROVED AS TO FORM

ASSISTANT SECRETARY  
OF THE UNIVERSITY OF CALIFORNIA

THE REGENTS OF THE UNIVERSITY  
OF CALIFORNIA

By

Virginia A. Patterson  
ASSISTANT SECRETARY

ANTELOPE VALLEY SOIL CONSERVATION  
DISTRICT

By

Robert K. ...

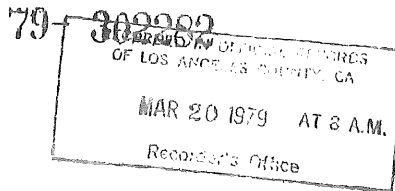
REQUEST FOR STIPULATION FOR INTERVENTION  
EXHIBIT FOUR

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHER WISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME ANTELOPE VALLEY RESOURCE  
ADDRESS CONSERVATION DISTRICT  
805 West Avenue J  
CITY & STATE Lancaster, California 93534  
ZIP

Title Order No. 7781488 Escrow No. 172-21322



FREE VT

SPACE ABOVE THIS LINE FOR RECORDER'S USE TO FORM:

## Corporation Grant Deed

APPROVED AS TO FORM:  
*James Richard, Jr.*  
JAMES RICHARD, JR.  
ASSISTANT COUNSEL OF THE REGENTS  
OF THE UNIVERSITY OF CALIFORNIA

The undersigned declares that the documentary transfer tax is \$=0= and is  
☐ computed on the full value of the interest or property conveyed, or is  
☐ computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land,  
tenements or realty is located in  
☒ unincorporated area ☐ city of \_\_\_\_\_ and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA,

a corporation organized under the laws of the State of California  
hereby GRANT(S) to

ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT

the following described real property in the unincorporated area

County of Los Angeles, state of California:

The Northeast Quarter of the Northeast Quarter of Section 13, Township 7 North, Range  
14 West, San Bernardino Meridian, in the County of Los Angeles, State of California,  
according to the Official Plat of the survey of said land.

Grantor reserves to itself the sole and exclusive right to prospect for, drill for,  
produce and take any oil, gas or other hydrocarbon substances or mineral substances and  
accompanying fluids from the real property granted herein from below the depth of one  
thousand feet (1000') from the surface of said real property the right to slant drill  
from adjacent property, the right to utilize subsurface storage for natural substances,  
and the right to maintain subsurface pressures. Grantor covenants and agrees that the  
above reserved rights will not be exercised in derogation of Grantee's existing uses  
and purposes of the surface of said real property.

Subject to:

1. Any covenants, conditions, restrictions, reservations, rights, rights of way and  
easements of record.

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Dated February 8, 1979

Chairman *Robert O. Reynolds*

Secretary *Elizabeth A. Geraghty*

STATE OF CALIFORNIA

COUNTY OF Los Angeles

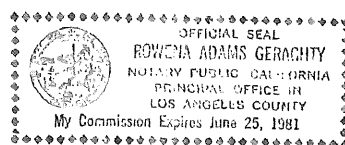
SS.

On this 8th day of February 1979, before me,  
the undersigned, a Notary Public in and for said County and State,  
personally appeared Robert O. Reynolds  
known to me to be the Chairman President, and

Secretary of the corporation that executed the will in  
Instrument, known to me to be the persons who executed the will in  
which Instrument on behalf of the corporation herein named, and  
acknowledged to me that such corporation executed the within  
instrument pursuant to its by-laws or a resolution of its board of  
directors.

*Elizabeth A. Geraghty*  
Signature of Notary

FOR NOTARY SEAL OR STAMP



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name

Street Address

City & State

Order #7781488  
Escrow #172-21322

RESOLUTION OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant Deed dated February 8, 1979, from THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, to the ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT, a governmental agency, is hereby accepted by the undersigned officers on behalf of the ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT pursuant to authority conferred to resolution of the Directors adopted on March 1, 1979, and the Grantee consents to recordation thereof by its duly authorized officers.

DATED: March 19, 1979

By Raymond H. Kraeger, Jr.

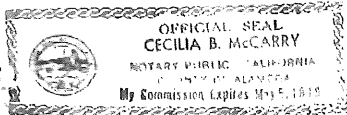
By Stefford C. Allen

State of California } ss.  
County of Alameda

79- 302282

On this 12 day of March, 1979, before me, CECILIA B. McCARRY, a Notary Public, State of California, duly commissioned and sworn, personally appeared MARJORIE J. WOOLMAN known to me to be the Secretary of The Regents of the University of California, a public corporation, and known to me to be the person who executed the within instrument on behalf of said public corporation and acknowledged to me that The Regents of the University of California executed the same.

**In Witness Whereof**, I have hereunto set my hand and affixed my Official Seal, in the County of Alameda the day and year in this Certificate first above written.



Cecilia B. McCarry  
CECILIA B. McCARRY, Notary Public, State of California  
My Commission Expires May 5, 1979

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHER WISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME  
ADDRESS  
CITY & STATE  
ZIP  
ANTELOPE VALLEY RESOURCE  
CONSERVATION DISTRICT  
805 West Avenue J  
Lancaster, California 93534

Title Order No. 7781488- Escrow No. 172-21322

79-302283

RECORDED IN OFFICIAL RECORDS  
OF LOS ANGELES COUNTY, CA

MAR 20 1979 AT 8 A.M.

Recorder's Office

FREE T

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## Corporation Grant Deed

APPROVED AS TO FORM:

*James R. Richard, Jr.*  
JAMES RICHARD, JR.  
ASSISTANT COUNSELLOR OF THE REGENTS  
OF THE UNIVERSITY OF CALIFORNIA

The undersigned declares that the documentary transfer tax is \$-0-

☐ computed on the full value of the interest or property conveyed, or is

☐ computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land, tenements or realty is located in

☒ unincorporated area ☐ city of \_\_\_\_\_ and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA,

a corporation organized under the laws of the State of California  
hereby GRANT(S) to

ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT

the following described real property in the unincorporated area  
County of Los Angeles, state of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Dated February 8, 1979

Chairman

Secretary

STATE OF CALIFORNIA

COUNTY OF Los Angeles

On 9th day of March 1979 before me,  
the undersigned, a Notary Public in and for said County and State,  
personally appeared Robert O. Reynolds  
known to me to be the Chairman -President, and

Secretary of the corporation that executed the within  
Instrument, known to me to be the persons who executed the  
within Instrument on behalf of the corporation therein named, and  
acknowledged to me that such corporation executed the within  
Instrument pursuant to its by-laws or a resolution of its board of  
directors.

*Rowena Adams Geraghty*  
Signature of Notary

FOR NOTARY SEAL OR STAMP

OFFICIAL SEAL  
ROWENA ADAMS GERAGHTY  
NOTARY PUBLIC - CALIFORNIA  
PRINCIPAL OFFICE IN  
LOS ANGELES COUNTY  
My Commission Expires June 25, 1981

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Deed dated February 8, 1979  
Order #7781488  
Escrow #172-21322

EXHIBIT "A"

The Southeast Quarter of the Northeast Quarter of Section 13, Township 7 North, Range 14 West, San Bernardino Meridian, in the County of Los Angeles, State of California, according to the Official Plat of said land.

EXCEPT THEREFROM that portion granted to the Southern California Edison Company, by deed recorded September 21, 1972 as Instrument No. 346, described as follows:

That portion of the Southeast Quarter of the Northeast Quarter of Section 13, Township 7 North, Range 14 West, San Bernardino Meridian, lying within a strip of land 430 Feet wide, the side lines thereof being 330 Feet Northeasterly and 100 Feet Southwesterly, measured at right angles, respectively, from the surveyed reference line which is described as follows:

Beginning at a point in the Easterly Line of said Section 13, said point being North 00°18'35" West, 831.93 Feet, measured along said Easterly Line from a found County Surveyor's Brass Cap Monument set at the Southeast Corner of said Section 13, said point also being South 00°18'35" East, 1813.87 Feet, more or less, measured along said Easterly Line from a found County Surveyor's Brass Cap Monument set at the East Quarter Corner of said Section 13, said point being North 89°38'31" West, 363.06 Feet, measured along said Northerly Line from a found County Surveyor's Brass Cap Monument marked "R.E. 2177", set at the North Quarter Corner of said Section 13, said point also being South 89°38'31" East, 2277.63 Feet, more or less, measured along said Northerly Line from a found County Surveyor's Brass Cap Monument marked "R.E. 2177", set at the Northwest Corner of said Section 13,

EXCEPTING THEREFROM that portion thereof lying Northeasterly of the Southwesterly Line of that certain strip of land 200 Feet wide, as described in the right of way agreement by and between Marygold Investment Company, a corporation and Southern California Edison Company, a corporation, recorded as Instrument No. 992 in Book 5143 Page 266 of Official Records in the Office of the County Recorder of said County.

Grantor reserves to itself the sole and exclusive right to prospect for, drill for, produce and take any oil, gas or other hydrocarbon substances or mineral substances and accompanying fluids from the real property granted herein from below the depth of one thousand feet (1000') from the surface of said real property the right to slant drill from adjacent property, the right to utilize subsurface storage for natural substances, and the right to maintain subsurface pressures. Grantor covenants and agrees that the above reserved rights will not be exercised in derogation of Grantee's existing uses and purposes of the surface of said real property.

Subject to:

1. Any covenants, conditions, restrictions, reservations, rights, rights of way and easements of record.

79- 302283



Order #7781488  
Escrow #172-21322

RESOLUTION OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant Deed dated February 8, 1979, from THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, to the ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT, a governmental agency, is hereby accepted by the undersigned officer on behalf of the ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT pursuant to authority conferred to resolution of the Directors adopted on March 1, 1979, and the Grantee consents to recordation thereof by its duly authorized officers.

DATED: March 19, 1979

By Raymond H. Wenger Pres

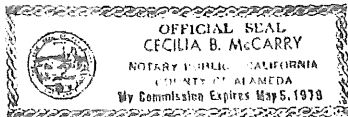
By Stifford C. Allen

State of California } ss.  
County of Alameda

79- 302283

On this 12 day of March, 1979, before me, CECILIA B. McCARRY, a Notary Public, State of California, duly commissioned and sworn, personally appeared MARJORIE J. WOOLMAN known to me to be the Secretary of The Regents of the University of California, a public corporation, and known to me to be the person who executed the within instrument on behalf of said public corporation and acknowledged to me that The Regents of the University of California executed the same.

**In Witness Whereof,** I have hereunto set my hand and affixed my Official Seal, in the County of Alameda the day and year in this Certificate first above written.



Cecilia B. McCarry  
CECILIA B. McCARRY, Notary Public, State of California  
My Commission Expires May 5, 1979

REQUEST FOR STIPULATION FOR INTERVENTION  
EXHIBIT FIVE

# **REPORT ON HISTORICAL WATER USE**

## **ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT (AVRSD)**

**10148 WEST AVE I, LANCASTER CA 93536**

**Prepared by Neal A. Weisenberger**

**Professor of Agriculture, Landscape Construction and Botany - Retired**

In calculating historical water use for Antelope Valley Resource Conservation District (AVRCD). I first determine the size of various locations on the property. Then used accepted ET rates that were applied to each location. The crops grown on the property are containerized plant material, ranging from liners to #15 containers (often called 15-gallon).

After intensive research, I could not find a standard ET coefficient for containerized plants. The #1 to #15 containerized plants were grown on grass areas for ease of customers walking through the nursery area. In observation of the area the containerized plants were using approximately the same amount of water as the lawn grasses. The lawn was neither lush nor was it dry looking. This is what I based the water use for the containerized plants upon, using the ET coefficient for lawns.

Since the plants are placed touching each other no matter the size of the containers, it was clear that the water use requirements were the same no matter the size of the containers. Larger containers could hold larger amounts of water in soil mix offset by larger plants that require more water. Smaller containers held smaller plants and less soil, thus less water, requiring higher water use. In the greenhouses and propagation house, water usage is high to keep the humidity high for seed germination, root formation and cooling.

Even with most of the plants being considered drought tolerant they would not be considered drought tolerant in containers. Most plants become drought tolerant by having either deep roots or wide spreading roots to harvest water over a large area. Once roots are confined in a small area, they will have a more normal water requirement.

The existing landscape, which also serves as seed collection plants or cutting material, a lower ET coefficient was used to their mature nature and growing in the ground.

As for the two homes on the property, they are occupied by employees of the agency. Both houses are very small, and the usage was estimated. The office is also minimal in size and water usage is also minimal. With basically one staff member using the office on a regular basis. So again, the water usages were estimated. The sales office has an adjacent bathroom, that is for staff and customers. With a limited staff and a limited time open to the public the water use has been minimal, and the water uses were estimated.

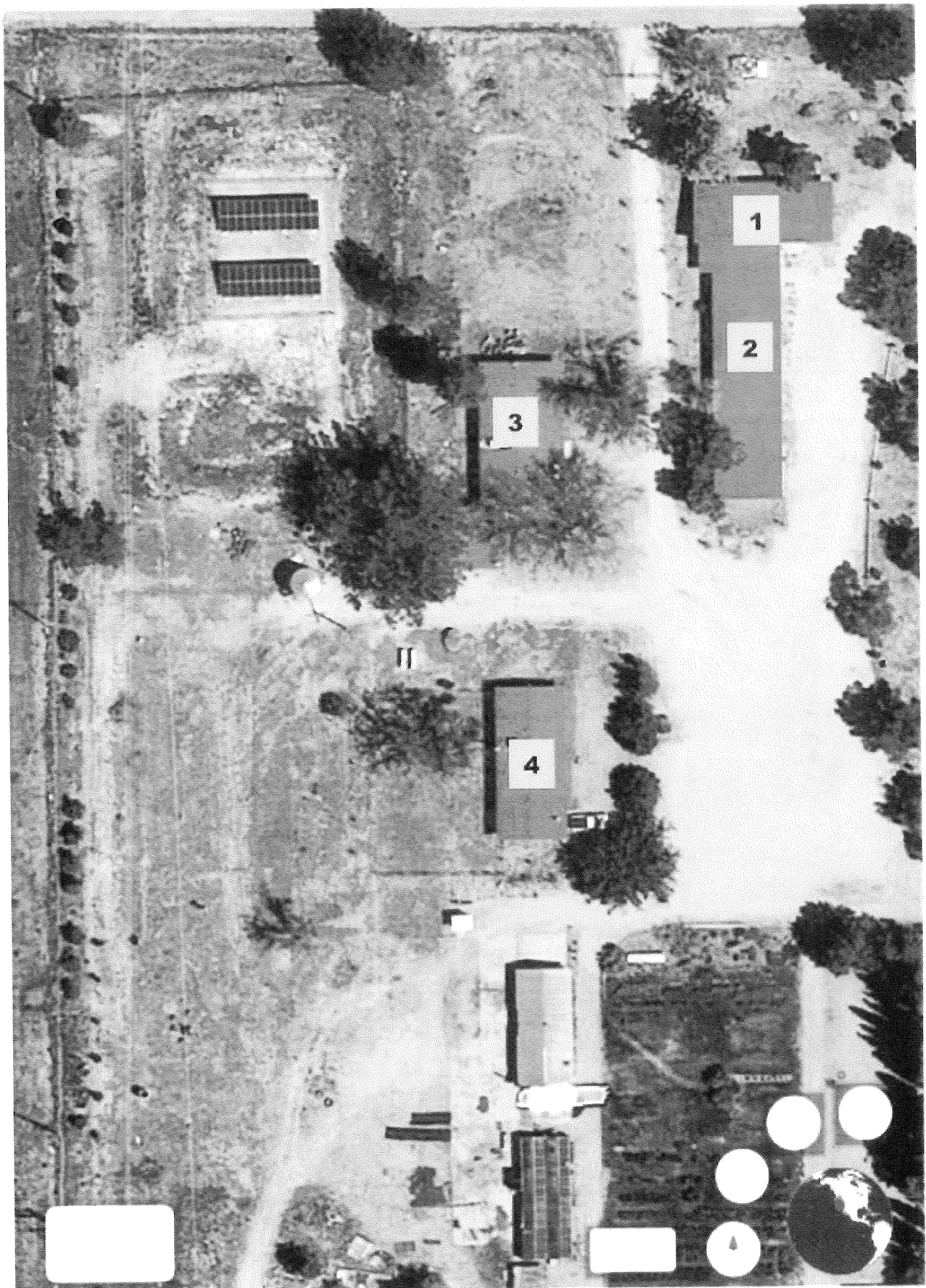
The following spreadsheet and maps show how the historical use was determined. I believe that our historical annual water use is approximately 18 acre feet. Since the adjudication the annual water has increased by 10.5 acre feet,

[illegible]



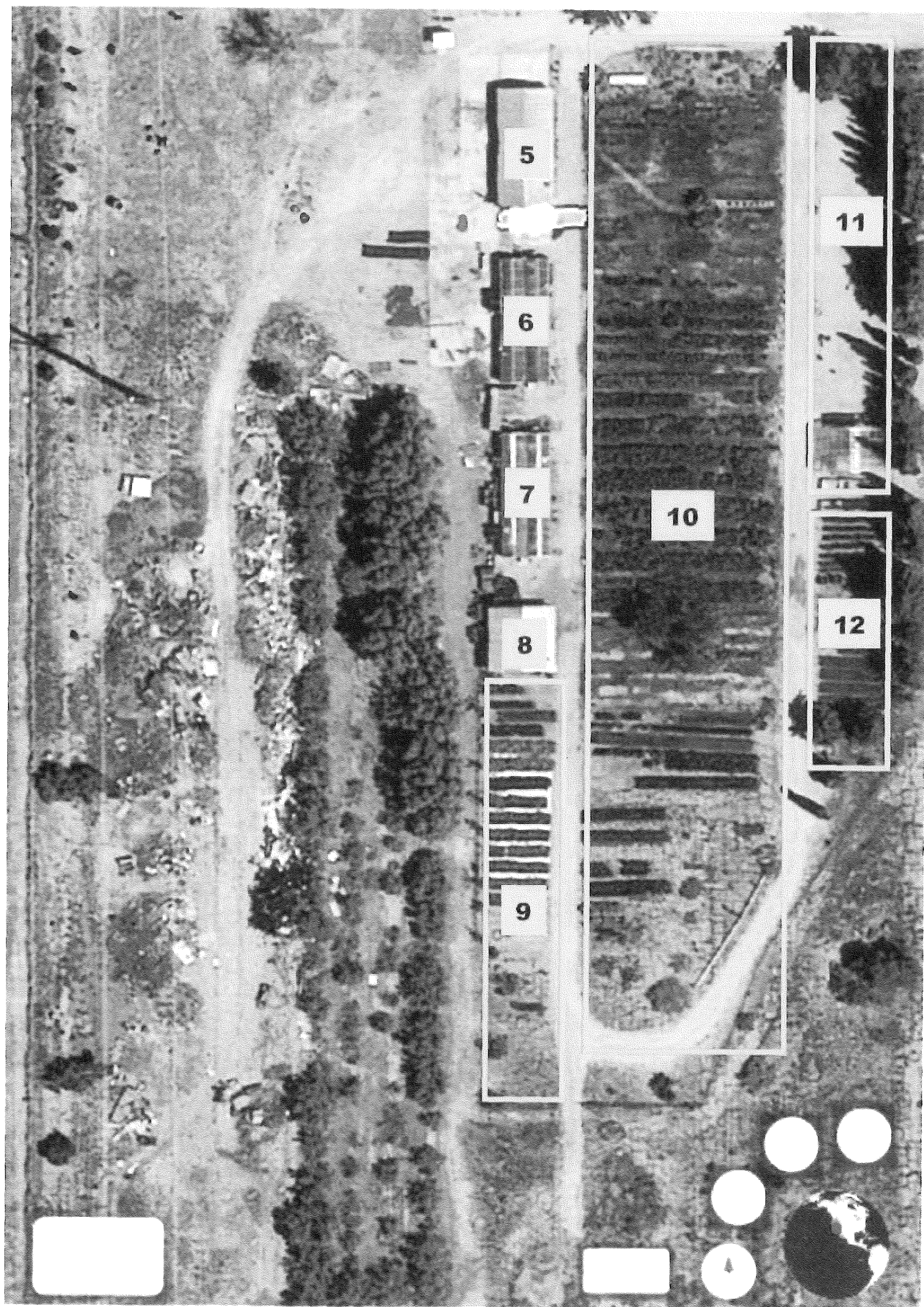
**OVERVIEW MAP**



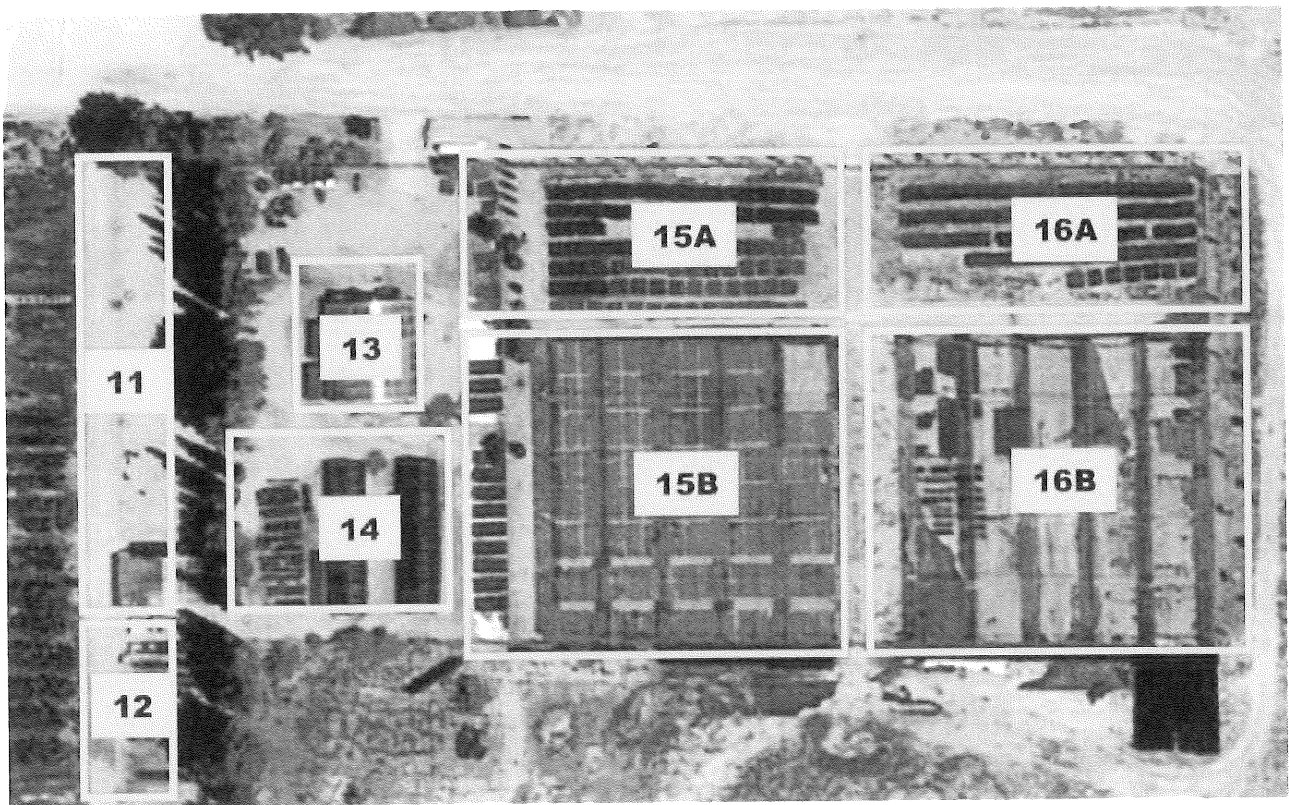


**EXHIBIT A**

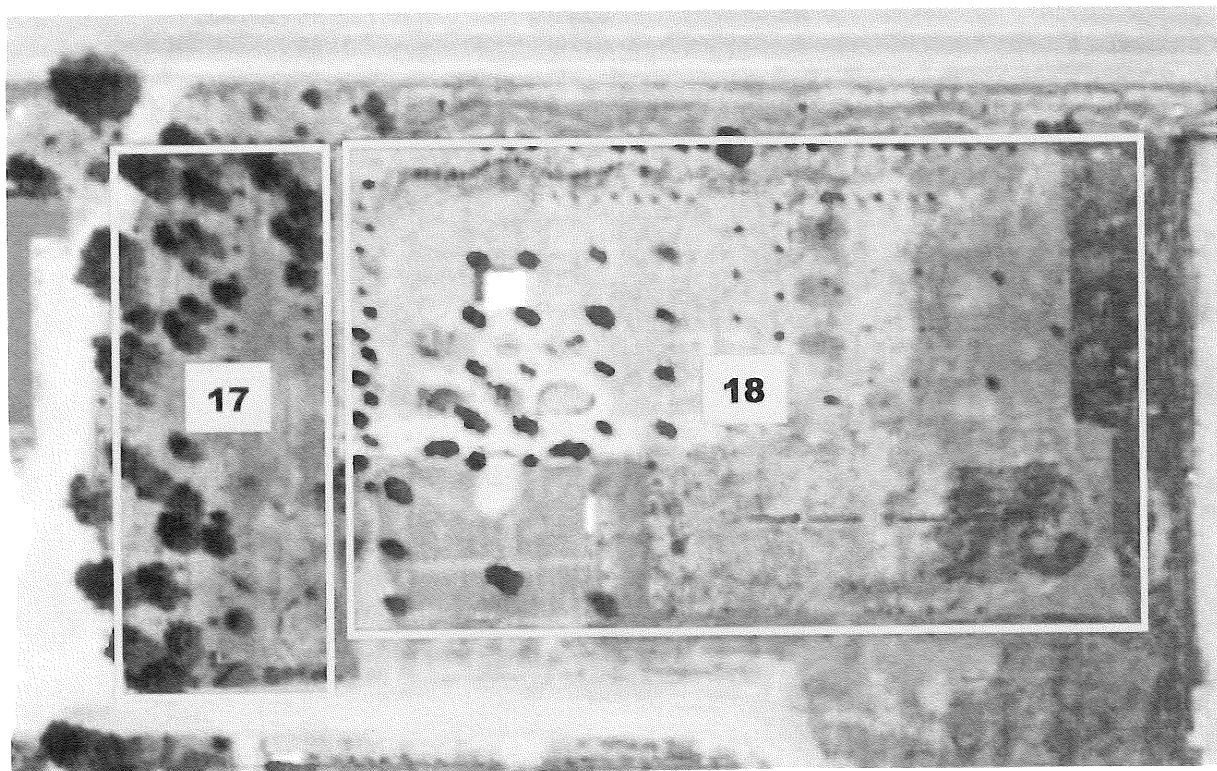




**EXHIBIT B**



**MAP C**



**MAP D**

## **Exhibit 6**

## Cameron Goodman

---

**From:** Craig A. Parton  
**Sent:** Thursday, March 24, 2022 9:40 AM  
**To:** brad@charltonweeks.com  
**Cc:** Cameron Goodman  
**Subject:** AVRCD's March 9, 2022 Letter

Brad:

As you know, yesterday was the Antelope Valley Watermaster's March 2022 Board meeting. During the meeting the Board discussed Antelope Valley Resource Conservation District's proposed intervention in the Judgment, as set forth in your letter of March 9. In line with your discussion with Cameron earlier this week, this email is to confirm that the Watermaster will stipulate only to AVRCD's intervention, although not subject to any of the conditions set forth in your March 9<sup>th</sup> letter. Thereafter AVRCD must either apply for New Production, or seek to acquire a Production Right pursuant to a noticed motion. The Watermaster will not stipulate ahead of time to what AVRCD's particular "status" might be as a Party, or any entitlement to a Production Right that AVRCD may claim.

Let us know if you have any questions.....Best, Craig



**PRICE, POSTEL & PARMA LLP**

Craig A. Parton  
Price Postel & Parma LLP  
200 E Carrillo Street, Suite 400  
Santa Barbara, CA 93101  
T: 805.962.0011 (Main);  
T: 805.882-9822 (Direct)  
F: 805.965.3978  
E: [cap@ppplaw.com](mailto:cap@ppplaw.com)  
Website: <http://ppplaw.com>

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## **Exhibit 7**

## Cameron Goodman

---

**From:** Cameron Goodman  
**Sent:** Monday, March 28, 2022 1:18 PM  
**To:** Craig A. Parton; brad@charltonweeks.com  
**Subject:** RE: AVRCD's March 9, 2022 Letter  
**Attachments:** AVRCD Stip to Intervene.docx

Brad:

In line with the below, attached is a draft Stipulation to Jurisdiction and to be Bound by the Judgment and Physical Solution and [Proposed] Order thereon for your review. Please respond at your earliest convenience so we can keep this process moving forward. In addition, we would like to see your motion to intervene so that we can review it and make any comments in short order, so that you can get it filed in time to be heard when the Court is already scheduled to hear another Antelope Valley Watermaster matter on May 3, 2022.

Best,  
Cameron



**PRICE, POSTEL & PARMA LLP**

Cameron Goodman  
Price, Postel & Parma LLP  
200 E. Carrillo Street, Suite 400  
Santa Barbara, CA 93101  
T: 805-962-0011 x120  
F: 805-965-3978  
E: [cgoodman@ppplaw.com](mailto:cgoodman@ppplaw.com)  
Website: [www.ppplaw.com](http://www.ppplaw.com)

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**From:** Craig A. Parton <[Cparton@ppplaw.com](mailto:Cparton@ppplaw.com)>  
**Sent:** Thursday, March 24, 2022 9:40 AM  
**To:** [brad@charltonweeks.com](mailto:brad@charltonweeks.com)  
**Cc:** Cameron Goodman <[cgoodman@ppplaw.com](mailto:cgoodman@ppplaw.com)>  
**Subject:** AVRCD's March 9, 2022 Letter

Brad:

As you know, yesterday was the Antelope Valley Watermaster's March 2022 Board meeting. During the meeting the Board discussed Antelope Valley Resource Conservation District's proposed intervention in the Judgment, as set forth in your letter of March 9. In line with your discussion with Cameron earlier this week, this email is to confirm that the Watermaster will



stipulate only to AVRCD's intervention, although not subject to any of the conditions set forth in your March 9<sup>th</sup> letter. Thereafter AVRCD must either apply for New Production, or seek to acquire a Production Right pursuant to a noticed motion. The Watermaster will not stipulate ahead of time to what AVRCD's particular "status" might be as a Party, or any entitlement to a Production Right that AVRCD may claim.

Let us know if you have any questions.....Best, Craig



**PRICE, POSTEL & PARMA LLP**

Craig A. Parton  
Price Postel & Parma LLP  
200 E Carrillo Street, Suite 400  
Santa Barbara, CA 93101  
T: 805.962.0011 (Main);  
T: 805.882-9822 (Direct)  
F: 805.965.3978  
E: [cap@ppplaw.com](mailto:cap@ppplaw.com)  
Website: <http://ppplaw.com>

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1 CRAIG A. PARTON, State Bar No. 132759  
CAMERON GOODMAN, State Bar No. 307679  
2 PRICE, POSTEL & PARMA LLP  
200 East Carrillo Street, Fourth Floor  
3 Santa Barbara, California 93101  
4 Telephone: (805) 962-0011  
Facsimile: (805) 965-3978

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 **STIPULATION TO JURISDICTION AND**  
17 **TO BE BOUND BY JUDGMENT AND**  
**PHYSICAL SOLUTION; [PROPOSED]**  
**ORDER THEREON**

18 **AND ALL RELATED ACTIONS**

Date:  
Time: 9:00 a.m.  
Dept: By Courtcall

19  
20  
21 A. The Antelope Valley Resource Conservation District ("**AVRCD**") seeks to appear  
22 in this proceeding, to submit to this Court's continuing jurisdiction, and to be bound by the  
23 Judgment and Physical Solution entered in this proceeding on December 23, 2015 (the  
24 "**Judgment**").

25 B. The Antelope Valley Watermaster ("**Watermaster**") is willing to stipulate to  
26 AVRCD's appearance in this proceeding subject to the terms of this Stipulation and [Proposed]  
27 Order.

28 ///



1 NOW, THEREFORE, the parties hereto acting by and through their respective  
2 undersigned counsel, hereby stipulate and agree as follows:

3 1. AVRCD consents to this Court's jurisdiction and to be bound by the Judgment.

4 2. The status of AVRCD as a Party under the Judgment, and the right to Produce and  
5 store Groundwater, if any, must still be determined and approved by the Court, and nothing in this  
6 Stipulation is intended to resolve the question of whether AVRCD is already subject to this  
7 Court's jurisdiction and bound by the Judgment.

8 3. Once the status and rights of AVRCD as a Party are established under the  
9 Judgment, all amounts due and owing the Watermaster for assessments, interest, penalties, and  
10 attorney's fees, as determined by the Court, shall be due and payable, and Watermaster may  
11 commence enforcement proceedings to collect such sums, including interest and attorneys' fees.

12 4. The parties hereto agree that this Stipulation may be executed in counterparts, and  
13 execution by facsimile shall be acceptable as an original.

14 **IT IS SO STIPULATED:**

15  
16  
17 Date: \_\_\_\_\_

18 **PRICE, POSTEL & PARMA LLP**  
19 By Craig A. Parton, Attorneys for  
20 Antelope Valley Watermaster

21 Date: \_\_\_\_\_

22 **CHARLTON WEEKS**  
23 By Bradley T. Weeks, Attorneys for  
24 Antelope Valley Resource Conservation District  
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[PROPOSED] ORDER

IT IS SO ORDERED.

Date: \_\_\_\_\_  
\_\_\_\_\_ HON. JACK KOMAR

## **Exhibit 8**

Date	Timekeeper	Billed Rate	Billed Hours	Billed Total	Narrative
10/11/2022	CAP	395	3	1,185.00	Review and edit and finalize opposition to AVRCD's motion to intervene and to set evidentiary hearing.
10/11/2022	CG	270	1	270.00	Opposition to motion to intervene.
10/10/2022	CG	270	1	270.00	Opposition to Motion to Intervene.
10/06/2022	CG	270	1	270.00	Opposition to motion to intervene.
09/07/2022	CAP	395	1.5	592.50	Work on drafting response to AVRCD's motion to intervene and to schedule evidentiary hearing.
08/18/2022	CG	270	0	-	Strategy regarding potential settlement options, timing of filing motion to enforce Judgment.
08/11/2022	CG	270	0	-	Response to Motion to Intervene - strategy and analysis.
07/29/2022	CG	270	0.3	81.00	Review motion to intervene; analysis regarding potential responses.
06/26/2022	CG	270	0.4	108.00	Draft motion to collect RWAs and enforce Judgment.
06/24/2022	CG	270	3.1	837.00	Prepare motion to collect RWAs, fees, etc.
04/25/2022	CG	270	0.4	108.00	Logistics for enforcing Judgment and requiring intervention.
04/20/2022	CG	270	0.1	27.00	Discussions with AVRCD counsel regarding stipulation to intervention.
03/28/2022	CG	270	0.5	135.00	Draft Stipulation for intervention; correspondence with AVRCD counsel regarding same.
03/22/2022	CG	270	0.3	81.00	Communication with AVRCD counsel regarding proposed intervention and legal process; prepare for March Board meeting.
03/18/2022	CG	270	1	270.00	Analysis regarding potential options for intervention and proving-up Production Right, legal ramifications regarding same; legal research regarding same.
03/16/2022	CG	270	0.4	108.00	Discussion with Watermaster Engineer regarding AVRCD notice of intent to intervene; legal analysis regarding same.
03/14/2022	CG	270	0.4	108.00	Review AVRCD correspondence regarding intervention; feedback and analysis regarding same.
14.4				4,450.50	

## **Exhibit 9**

# MONTHLY FLOWMETER PRODUCTION REPORTING FORM

TO BE SUBMITTED QUARTERLY  
ANTELOPE VALLEY WATERMASTER ENGINEER

[email form to ctaylor@toddgroundwater.com](mailto:email form to ctaylor@toddgroundwater.com)

Call Watermaster Administrative staff at 661-234-8233 with questions.

*A separate form is required for each individual metered well*

*Review all the notes prior to completing form*

## Section 1: Producer, Well, and Meter Information

Producer Name: ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT

Producer Contact Phone: 661-305-3405 Producer Contact Email: debragillis@sbccglobal.net

Well Location Address: 10148 W. AVENUE I, LANCASTER, CA. 93536

Well Location County: L.A. COUNTY

Well Location APN: 3267-005-902 Produced Water Application APN(s): 3267-005-902

Owner's Well No.: ONE

State Well No.: N/A

Meter Serial No./ID: 17391247 Meter Manufacturer: MASTER METER Meter Model and Size: OCTANE CF0303-E1-D09CF 3"

*A separate form is required for each individual metered well* **NOTE: METER WAS INSTALLED IN 2018**  
*Review all the notes prior to completing form* **THIS FILING IS FOR PREVIOUS, UNMETERED-PRODUCTION.**

## Section 2: Production Records

Monthly production for the \_\_\_\_\_ of \_\_\_\_\_  
(QUARTER) (YEAR)

Record monthly flowmeter totalizer readings for quarter in the table below and submit to Watermaster Engineer within 30 days of quarter's end

Copy the last entry from the previous report into the first line of the table below and report subsequent production records below.

Last Reading from Previous Report

Date	Time	Totalizer Reading	Units	Production in Period	Units
		N/A			

### Notes:

Parties that produce more than 10 AFY on aggregate shall monitor and record production volumes monthly and report groundwater production volumes from each well to the Watermaster Engineer quarterly. Parties that produce up to and including 10 AFY on aggregate shall monitor and record production volumes at least quarterly and shall report these values to the Watermaster Engineer quarterly; monthly monitoring and recording is preferred for all parties.

Enclose a readable photograph of the totalizer readout corresponding to the last monthly measurement collected each quarter.

Reports of monthly groundwater production for the previous quarter will be submitted to the Watermaster Engineer electronically via email by the end of the first month of each quarter. Reports shall therefore be due to the Watermaster Engineer no later than January 31, April 30, July 31, and October 31 for production in the previous quarter.

# MONTHLY FLOWMETER PRODUCTION REPORTING FORM

## TO BE SUBMITTED QUARTERLY ANTELOPE VALLEY WATERMASTER ENGINEER

[email form to ctaylor@toddgroundwater.com](mailto:ctaylor@toddgroundwater.com)

Call Watermaster Administrative staff at 661-234-8233 with questions.

***A separate form is required for each individual metered well***

***Review all the notes prior to completing form***

### Notes Continued:

The first entry in the table should contain the last reading from the previous report; no calculation of Production in Period is required for this entry. Production in the Period for subsequent entries should be calculated by subtracting the previous totalizer reading from the current totalizer reading (e.g. in March, subtract the February reading from the March reading to calculate the volume produced between the readings).

It is the responsibility of the reporting party to track production in comparison to annual rights to produce groundwater. The Watermaster and Watermaster Engineer will compare annual production volumes to those rights for all producing parties. Those parties that have exceeded their annual rights to produce groundwater will be charged for replacement water at the current rate set by the Watermaster, as applicable in the terms of the judgement. Neither the Watermaster nor the Watermaster Engineer will compare quarterly production to annual rights to produce groundwater. In addition, neither the Watermaster nor Watermaster Engineer will provide reminders or warnings if producing parties are approaching their total production rights.

One electronic copy (scanned pdf or Excel file) of the completed Quarterly Flowmeter Production Reporting Form shall be emailed to the Watermaster Engineer at the address indicated below:

[ctaylor@toddgroundwater.com](mailto:ctaylor@toddgroundwater.com)

### Section 3: Signature

Date of photograph of totalizer readout: N/A

Signature and Date: Kelly Jaten 7-22-19 FOR A.V.E.C.D.

Notes:

METER WAS INSTALLED IN 2018.

THIS FILING IS FOR PREVIOUS, UNMETERED PRODUCTION.

***A separate form is required for each individual metered well***

***Review all the notes prior to completing form***

One copy to Watermaster Engineer, one copy to Producer.

(MONTHLY KWH/KWH PER AC-FT.)

## 2016 Calendar Year

### Groundwater Production

**Groundwater Production (cont.)**

### Imported Water Supply

Date \_\_\_\_\_



**ANNUAL WATER PRODUCTION REPORT**  
**2017 CALENDAR YEAR**  
**ANTELOPE VALLEY WATERMASTER**

Submit by March 1, 2018

Please mail to: Antelope Valley Watermaster, P.O. Box 3025, Quartz Hill, California 93586 OR email to:  
info@avwatermaster.net

PRODUCER: ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT  
Contact Name: Debra Gillis  
Address: 10148 W. AVENUE I, LANCASTER, CA. 93536  
Phone: 661-305-3405 email: debragillis@sbcglobal.net

TOTAL GROUNDWATER PRODUCED: 25.39 acre-feet in 2017

Please see tables on AVWM's website ([www.avwatermaster.net](http://www.avwatermaster.net)) for Production Rights, 2017 Rampdown Production, 2017 Unused Federal Reserved Water Rights, 2017 Imported Water Return Flows, and available Carry Over Water.

1. Amount from **Production Right** from Native Safe Yield: \_\_\_\_\_ acre-feet
2. Amount from **Unused Federal Reserved Water Rights**: \_\_\_\_\_ acre-feet
3. Amount from **Rampdown Production for Exhibit 4 Parties**: (maximum can be 2017 Rampdown Production – Production Right): \_\_\_\_\_ acre-feet
4. Amount from **Imported Water Return Flows for Exhibit H Parties**: \_\_\_\_\_ acre-feet
5. Amount from **Carry Over Water**: N/A \_\_\_\_\_ acre-feet
6. Amount from **Stored Water**: N/A \_\_\_\_\_ acre-feet

Supplier(s) and source(s) of each Stored Water source \_\_\_\_\_

7. Amount from **New Production**: N/A \_\_\_\_\_ acre-feet

Date New Production was approved: \_\_\_\_\_

8. Amount from **Other Rights to Produce**: \_\_\_\_\_ acre-feet

Description of Other Rights to Produce: \_\_\_\_\_

9. Amount from **Transfers**: \_\_\_\_\_ acre-feet

Suppliers and sources of each type of Transfer water used: \_\_\_\_\_

Section 18.5.12 (Production Reports) of the Judgment states: "The Watermaster Engineer shall require each Producer, other than unmetered Small Pumper Class Members, to file an annual Production report with the Watermaster. Producers shall prepare the Production reports in a form prescribed by the rules and regulations. The Production reports shall state the total Production for the reporting Party, including Production per well, rounded off to the nearest tenth of an acre foot for each reporting period. The Production reports shall include such additional information and supporting documentation as the rules and regulations may reasonably require."

I certify to the best of my knowledge and belief that the information provided on this Production Form is true and correct.

Signature of Producer Kelly Jones FOR A.V.R.C.D. Date 7-22-19

NOTE:

THIS Filing is for PREVIOUS, UNMETERED PRODUCTION.

Well Production Information for 2017 <sup>\*</sup> (MONTHLY KWH / KWH PER AC-FT.)

APN; State-Well Number	APN # Associated with the Production	Well Designation	Production (acre-feet)	Method of Measurement
	3267-DDS-902	WELL # ONE		*
		JAN. 7	1.28	1026 / 803
		FEB. 7	1.12	901 / 803
		MAR. 7	.76	613 / 803
		APR. 7	1.58	1268 / 803
	QUARTERLY	TOTAL: —	4.74	
		MAY. 9	2.29	1842 / 803
		JUN. 9	2.43	1950 / 803
		JUL. 10	2.89	2320 / 803
		AUG. 8	3.56	2860 / 803
	QUARTERLY	TOTAL: —	11.17	
		SEP. 7	3.35	2688 / 803
		OCT. 6	2.76	2215 / 803
		NOV. 6	2.02	1624 / 803
		DEC. 7	1.34	1080 / 803
	QUARTERLY	TOTAL: —	9.47	
	2017 ANNUAL	PRODUCTION: 25.39 ac./ft.		

Imported Water Use in 2017

Supplier	APN Numbers Associated with the Imported Water Use	Point of Delivery	Supply Used (acre-feet)	Method of Measurement
		N/A		

**ANNUAL WATER PRODUCTION REPORT  
2018 CALENDAR YEAR  
ANTELOPE VALLEY WATERMASTER**

Submit by March 1, 2019

Please mail to: Antelope Valley Watermaster, P.O. Box 3025, Quartz Hill, California 93586 OR email to: [info@avwatermaster.net](mailto:info@avwatermaster.net). Call Watermaster Administrative staff at 661-234-8233 with questions.

PRODUCER ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT

Name listed in Judgment if different from that above \_\_\_\_\_

Contact Name DEBRA GILLIS

Address 10148 W. AVENUE I, LANCASTER, CA. 93530

Phone 661-305-3405 email debragillis@sbcglobal.net

TOTAL GROUNDWATER PRODUCED 28.92 acre-feet in 2018

The amount of water available for use in 2018 has been summarized in tables on the **Antelope Valley Watermaster website**: <https://avwatermaster.net/>. See Table 1 for Public Water Suppliers (Exhibit 3 Parties); Table 2 for Overlying Producers (Exhibit 4 Parties); and Table 3 for Other Parties (other than those listed on Exhibits 3 and 4).

Amount of this production that is recovery of stored water (excluding Carry Over water) \_\_\_\_\_ acre-feet in 2018

Total number of production wells 1

Number of these wells that have had meter documentation approval by the Watermaster Engineer \_\_\_\_\_

Anticipated date that the remaining wells will have approved meter documentation 1

Please sign below and complete the information on the next page.

I certify to the best of my knowledge and belief that the information provided on this Production Report Form is true and correct.

Signature of Producer Katey Jones for A.V.R.C.D Date 7/22/19

NOTE: THIS FILING IS FOR PREVIOUS, UNMETERED PRODUCTION.

Section 18.5.12 (Production Reports) of the Judgment states: "The Watermaster Engineer shall require each Producer, other than unmetered Small Pumper Class Members, to file an annual Production report with the Watermaster. Producers shall prepare the Production reports in a form prescribed by the rules and regulations. The Production reports shall state the total Production for the reporting Party, including Production per well, rounded off to the nearest tenth of an acre foot for each reporting period. The Production reports shall include such additional information and supporting documentation as the rules and regulations may reasonably require."

Well Production Information for 2018 <sup>\*</sup> (MONTHLY KWH / KWH PER AC-FT.)

State-Well Number	APN # Associated with the Production	Well Designation	Production (acre-feet)	Method of Measurement
	3267-005-902	WELL # ONE		*
		JAN. 8	1.31	1051 / 803
		FEB. 6	1.06	849 / 803
		MAR. 8	1.09	877 / 803
		APR. 9	1.39	1113 / 803
	QUARTERLY TOTAL:	—	4.84	
		MAY 8	1.78	1429 / 803
		JUN. 7	3.77	3026 / 803
		JUL. 9	2.99	2402 / 803
		AUG. 7	5.62	4515 / 803
	QUARTERLY TOTAL:	—	14.16	
		SEP. 6	3.15	2530 / 803
		OCT. 5	2.60	2084 / 803
		NOV. 5	2.26	1815 / 803
		DEC. 6	1.90	1528 / 803
	QUARTERLY TOTAL:	—	9.91	
2018	ANNUAL PRODUCTION:		28.92	

Imported Water Use in 2018

Supplier of Imported Water	APN Numbers Associated with the Imported Water Use	Point of Delivery	Imported Water Used (acre-feet)	Method of Measurement
		N/A		

**ANNUAL WATER PRODUCTION REPORT\***  
**2019 CALENDAR YEAR**  
**ANTELOPE VALLEY WATERMASTER**

Submit by March 1, 2020

Please mail to: Antelope Valley Watermaster, P.O. Box 3025, Quartz Hill, California 93586 OR email to: [info@avwatermaster.net](mailto:info@avwatermaster.net). Call Watermaster Administrative staff at 661-234-8233 with questions.

\* This form is used by the Watermaster for water accounting. Please report all water produced by the production right named below. All producers must report their own production.

NAME OF PRODUCTION RIGHT ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT

(As listed in the Judgment or New Production Application)

Contact Name DEBRA GILLIS

Address 10148 W. AVENUE I, LANCASTER, CA. 93536

Phone 661-305-3405 email debragillis@sbcglobal.net

TOTAL GROUNDWATER PRODUCED 9.62 acre-feet in 2019

The amount of water available for use in 2019 has been summarized in tables on the **Antelope Valley Watermaster website**: <https://avwatermaster.net/>. See Table 1 for Public Water Suppliers (Exhibit 3 Parties); Table 2 for Overlying Producers (Exhibit 4 Parties); and Table 3 for Other Parties (other than those listed on Exhibits 3 and 4).

Amount of this production that is recovery of stored water (excluding Carry Over water) \_\_\_\_\_ acre-feet in 2019

Total number of production wells 1

Did these wells produce water for another party? If so, which Parties?

NO

Number of these wells that have had meter documentation approval by the Watermaster Engineer 1

Anticipated date that the remaining wells will have approved meter documentation N/A

Please sign below and complete the information on the next page.

I certify to the best of my knowledge and belief that the information provided on this Production Report Form is true and correct.

Signature of Producer Kelly Jeter for AVRCD Date 2/23/2020

Section 18.5.12 (Production Reports) of the Judgment states: "The Watermaster Engineer shall require each Producer, other than unmetered Small Pumper Class Members, to file an annual Production report with the Watermaster. Producers shall prepare the Production reports in a form prescribed by the rules and regulations. The Production reports shall state the total Production for the reporting Party, including Production per well, rounded off to the nearest tenth of an acre foot for each reporting period. The Production reports shall include such additional information and supporting documentation as the rules and regulations may reasonably require."

\* The Watermaster is now requesting Latitude and Longitude for all production wells.

Watermaster ID # (as assigned)	State Well Number	APN's Associated with the Production	* Latitude/ Longitude	Well Designation	Production (acre-feet)	Method of Measurement
	007ND14N-13A0015	3267-005-962	34° 42' 09" N 118° 18' 38" W	WELL # ONE	9.62	FLOW METER
						*
		DEC. 29, 2018			QUARTERLY	
		JAN. 26, 2019	- 0.38		0.66	
		FEB. 12 -	- 0.05			
		MAR. 15 -	- 0.23			
		APR. 5/26 -	- 1.02		QUARTERLY	
		MAY 3/31 -	- 0.90		2.33	
		JUN. 7 -	- 0.41			
		JULY 5/19 -	- 1.99		QUARTERLY	
		AUG. 1/15 -	- 0		4.77	
		SEPT. 1/27 -	- 2.78			
		OCT. 1 -	- 0.06		QUARTERLY	
		NOV. 2/15 -	- 1.34			
		DEC. 6 -	- 0.16		1.86	
		JAN. 15, 2020 -	- 0.30			*
					TOTAL: 9.62	

### Imported Water Use in 2019

Imported Water Use in 2019 Supplier of Imported Water	APN's Associated with the Imported Water Use	Point of Delivery	Imported Water Used (acre-feet)	Method of Measurement
	N/A			

# ANNUAL WATER PRODUCTION REPORT\*

2020, 2019 CALENDAR YEAR

ANTELOPE VALLEY WATERMASTER

Submit by March 1, 2020 2021 *1/2*

Please mail to: Antelope Valley Watermaster, P.O. Box 3025, Quartz Hill, California 93586 OR email to: [info@avwatermaster.net](mailto:info@avwatermaster.net). Call Watermaster Administrative staff at 661-234-8233 with questions.

\* This form is used by the Watermaster for water accounting. Please report all water produced by the production right named below. All producers must report their own production.

NAME OF PRODUCTION RIGHT ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT

(As listed in the Judgment or New Production Application)

Contact Name DEBRA GILLIS

Address 10148 W. AVENUE I, LANCASTER, CA. 93536

Phone 661-305-3405 email debragillis@sbcglobal.net

TOTAL GROUNDWATER PRODUCED 6.88 acre-feet in 2019

The amount of water available for use in 2019 has been summarized in tables on the Antelope Valley Watermaster website: <https://avwatermaster.net/>. See Table 1 for Pubic Water Suppliers (Exhibit 3 Parties); Table 2 for Overlying Producers (Exhibit 4 Parties); and Table 3 for Other Parties (other than those listed on Exhibits 3 and 4).

Amount of this production that is recovery of stored water (excluding Carry Over water) \_\_\_\_\_ acre-feet in 2019

Total number of production wells 1

Did these wells produce water for another party? If so, which Parties?

NO

Number of these wells that have had meter documentation approval by the Watermaster Engineer 1

Anticipated date that the remaining wells will have approved meter documentation N/A

Please sign below and complete the information on the next page.

I certify to the best of my knowledge and belief that the information provided on this Production Report Form is true and correct.

Signature of Producer Kelly P. Jeters For AVRCD Date 3/27/2021

Section 18.5.12 (Production Reports) of the Judgment states: "The Watermaster Engineer shall require each Producer, other than unmetered Small Pumper Class Members, to file an annual Production report with the Watermaster. Producers shall prepare the Production reports in a form prescribed by the rules and regulations. The Production reports shall state the total Production for the reporting Party, including Production per well, rounded off to the nearest tenth of an acre foot for each reporting period. The Production reports shall include such additional information and supporting documentation as the rules and regulations may reasonably require."

*\* Limited Meter Reads/STAFFING ISSUES FROM COVID.*

\* The Watermaster is now requesting Latitude and Longitude for all production wells.

Watermaster ID # (as assigned)	State Well Number	APN's Associated with the Production	* Latitude/ Longitude	Well Designation	Production (acre-feet)	Method of Measurement
	007N014W-13A0015	3267-005902	34° 42' 09" N 118° 18' 38" W	Well #ONE	6.88	FLOW METER
					QUARTERLY	*
		JAN 15, 2020	— 0.27		.99	
		FEB. 1, 2020				
		MAR. 17, 2020	— 0.73			
					QUARTERLY	
		JUN. 1, 2020	— 1.28		1.28	
					QUARTERLY	
		July 1, 2020	— 0.87			
		AUG. 20, 2020	— .96		3.18	
		SEPT. 16, 2020	— 1.35			
					QUARTERLY	
		OCT 6, 2020	— 0.49			
		NOV 17, 2020	— 0.93		1.43	*
				TOTAL:	6.88	

### Imported Water Use in 2019

Imported Water Use in 2019 Supplier of Imported Water	APN's Associated with the Imported Water Use	Point of Delivery	Imported Water Used (acre-feet)	Method of Measurement



## **Exhibit 10**

Antelope Valley Watermaster  
5022 West Avenue N, Suite 102 #158  
Palmdale, CA 93551  
(661) 234-8233  
www.avwatermaster.net

**BILL TO**

Antelope Valley Resources  
Conservation District  
10148 West Avenue I  
Lancaster, CA 93536

**INVOICE 1950CY20-10**

**DATE 12/15/2021**

**DUE DATE 01/14/2022**

TYPE	DESCRIPTION	ACRE FT.	RATE	AMOUNT
FIXED	Administrative Assessments CY 2020 per Actual Reported Production	6.88	5.00	34.40
RWA	2020 Replacement Water Assessment inside State Water Contractor service area boundaries	6.88	486.00	3,343.68

Please include invoice number on check payment. Delinquent balances will be assessed a 10% late fee.

**TOTAL DUE \$3,378.08**

Per Resolution No. R-19-33 as passed by the Board of Directors of the Antelope Valley Watermaster at its meeting held December 18, 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  
5022 West Avenue N, Suite 102 #158  
Palmdale, CA 93551

**Antelope Valley Watermaster**  
5022 West Avenue N, Suite 102 #158  
Palmdale, CA 93551  
(661) 234-8233  
www.avwatermaster.net

**BILL TO**

Antelope Valley Resources  
Conservation District  
10148 West Avenue I  
Lancaster, CA 93536

**INVOICE 1950CY19-4**

**DATE 12/15/2021**

**DUE DATE 01/14/2022**

TYPE	DESCRIPTION	ACRE FT.	RATE	AMOUNT
FIXED	Administrative Assessments CY 2019 per Actual Reported Production	9.62	5.00	48.10
RWA	2019 Replacement Water Assessment inside State Water Contractor service area boundaries	9.62	451.00	4,338.62

Please include invoice number on check payment. Delinquent balances will be assessed a 10% late fee.

**TOTAL DUE \$4,386.72**

Per Resolution No. R-18-30 as passed by the Board of Directors of the Antelope Valley Watermaster at its meeting held December 5, 2018, 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  
5022 West Avenue N, Suite 102 #158  
Palmdale, CA 93551

**Antelope Valley Watermaster**  
5022 West Avenue N, Suite 102  
#158  
Palmdale, CA 93551  
(661) 234-8233  
www.avwatermaster.net

**BILL TO**

Antelope Valley Resources  
Conservation District  
10148 West Avenue I  
Lancaster, CA 93536

**INVOICE 1950CY18-4**

**DATE 12/15/2021**

**DUE DATE 01/14/2022**

TYPE	DESCRIPTION	ACRE FT.	RATE	AMOUNT
FIXED	Administrative Assessments CY 2018 per Actual Reported Production	28.92	5.00	144.60
RWA	2018 Replacement Water Assessment inside State Water Contractor service area boundaries	28.92	415.00	12,001.80

Please include invoice number on check payment.  
Delinquent balances will be assessed a 10% late fee.

**TOTAL DUE \$12,146.40**

Per Resolution No. R-18-02 as passed by the Board of Directors of the Antelope Valley Watermaster at its meeting held  
January 24, 2018, 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  
5022 West Avenue N, Suite 102 #158  
Palmdale, CA 93551

Antelope Valley Watermaster  
5022 West Avenue N, Suite 102  
#158  
Palmdale, CA 93551  
(661) 234-8233  
www.avwatermaster.net

**BILL TO**

Antelope Valley Resources  
Conservation District  
10148 West Avenue I  
Lancaster, CA 93536

**INVOICE 1950CY17-3**

**DATE 12/15/2021**

**DUE DATE 01/14/2022**

TYPE	DESCRIPTION	ACRE FT.	RATE	AMOUNT
FIXED	Administrative Assessments CY 2017 per Actual Reported Production	25.39	5.00	126.95
RWA	2017 Replacement Water Assessment inside State Water Contractor service area boundaries	25.39	415.00	10,536.85

Please include invoice number on check payment.  
Delinquent balances will be assessed a 10% late fee.

**TOTAL DUE \$10,663.80**

Per Resolution No. R-16-01 and No. R-17-03 as passed by the Board of Directors of the Antelope Valley Watermaster at its meetings held December 19, 2016 and June 28, 2017,  
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  
5022 West Avenue N, Suite 102 #158  
Palmdale, CA 93551

Antelope Valley Watermaster  
5022 West Avenue N, Suite 102  
#158  
Palmdale, CA 93551  
(661) 234-8233  
www.avwatermaster.net

**BILL TO**

Antelope Valley Resources  
Conservation District  
10148 West Avenue I  
Lancaster, CA 93536

**INVOICE 1950CY16-3**

**DATE 12/15/2021**

**DUE DATE 01/14/2022**

TYPE	DESCRIPTION	ACRE FT.	RATE	AMOUNT
FIXED	Administrative Assessments CY 2016 per Actual Reported Production	38.16	1.00	38.16
RWA	2016 Replacement Water Assessment inside State Water Contractor service area boundaries	38.16	415.00	15,836.40

Please include invoice number on check payment.  
Delinquent balances will be assessed a 10% late fee.

**TOTAL DUE**

**\$15,874.56**

Per Resolution No. R-16-01 and No. R-17-03 as passed by the Board of Directors of the Antelope Valley Watermaster at its meetings held December 19, 2016 and June 28, 2017,  
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  
5022 West Avenue N, Suite 102 #158  
Palmdale, CA 93551