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8 Attorneys for Movant/Intervenor
9 BART CHIELENS AND AMY JIMENEZ

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

Coordination Proceeding
Special Title (Rule 1550(b))

**ANTELOPE VALLEY GROUNDWATER
CASES**

Including Consolidated Actions:

Los Angeles County Waterworks District No. 40 v.
Diamond Farming Co.; Superior Court of California,
County of Los Angeles, Case No. BC325201;

Los Angeles County Waterworks District No. 40 v.
Diamond Farming Co.; Superior Court of California,
County of Kern, Case No. S-1500-CV-254348;

Wm. Bolthouse Farms, Inc. v. City of Lancaster;
Diamond Farming Co. v. City of Lancaster; Diamond
Farming Co. V. Palmdale Water Dist.; Superior Court
of California, County of Riverside, consolidated
actions, Case Nos. RIC 353840, RIC 344436, RIC
344668;

AND RELATED ACTIONS.

Judicial Council Coordination Proceeding No. 4408

Santa Clara Case No. 1-05-CV-049053
Assigned to the
Honorable Jack Komar
Department 17C

**NOTICE OF MOTION AND AMENDED
MOTION TO INTERVENE IN JUDGMENT;**

**MEMORANDUM OF POINTS AND
AUTHORITIES;**

**DECLARATIONS OF AMY JIMENEZ AND
DAVID LEVENTHAL (ATTORNEY FOR
MOVANT) IN SUPPORT THEREOF**

Hearing Date:

Date: June 20, 2025

Time: 9:00 a.m.

Judge: Hon. Jack Komar

[Hearing to be conducted by Courtcall]

1 TO THE HONORABLE JACK KOMAR, JUDGE OF THE SUPERIOR COURT, ALL INTERESTED
2 PARTIES, ALL PERSONS REQUESTING NOTICE, AND THEIR RESPECTIVE ATTORNEYS OF
3 RECORD:

4 PLEASE TAKE NOTICE that on June 20, 2025, at 9:00 a.m. or as soon as the Santa Clara County
5 Superior Court [for above-entitled Court located at 191 N First Street, San Jose, CA] may hear the matter,
6 Moving Party BART CHIELENS AND AMY JIMENEZ will and hereby does move the Court for an
7 order granting it leave to intervene in this Action and thereby become a Party to the December 23, 2015
8 Judgment and Physical Solution “(Judgment”) in the above-captioned Antelope Valley Groundwater
9 Adjudication.

10 The general grounds for granting this Motion are as follows:

11 1. Section 20.9 of the Judgment provides that “[a]ny Person who is not a Party or successor to
12 a Party and who proposes to ... acquire a Production Right ... is required to seek to become a Party
13 subject to this Judgment through a noticed motion to intervene in this Judgment prior to commencing
14 Production.” This language applies to Movant because it is not presently a named Party, and it seeks to
15 acquire Production Rights.

16 2. Movant has filed a New Production Application with the Antelope Valley Watermaster.
17 The Watermaster Engineer made a finding that no material injury would occur, and said Application was
18 unanimously approved by the Watermaster, subject only to Movant becoming a party to the Judgment, via
19 Intervention.

20 3. In addition to the above-noted reasons and procedures that were anticipated and
21 incorporated into the Judgment itself; all of the requirements for both mandatory *and* permissive
22 intervention (as set forth in Code of Civil Procedure Section 387) are also present in this case; thereby
23 providing triplicate cause to grant this Motion to Intervene.

24 This Motion is based on the Declarations of Amy Jimenez and David Leventhal, and the
25 Memorandum of Point and Authorities, all of which are attached hereto; the Judgment itself (which
26 specifically authorizes the filing of this Motion); all other pleadings and documents filed in this Action;
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1 together with any additional evidence and legal argument which may be presented at or prior to the
2 hearing of this Motion.
3

4 Respectfully submitted,

5 LEVENTHAL LAW FIRM

6 /s/ David Leventhal

7 By DAVID LEVENTHAL, Esq.

8 Attorney for Movant/Intervenor

9 BART CHIELENS AND AMY JIMENEZ
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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

This Motion stems from a routine “New Production Application” that has been filed with the Antelope Valley Watermaster.¹ The Application has been approved by the Watermaster, subject to Bart Chielens and Amy Jimenez intervening into this Action and becoming a Party to the Judgment.

This Motion is filed pursuant to Section 20.9 of the Judgment, which specifies that [a]ny Person who is not a Party or successor to a Party and *who proposes to ... acquire a Production Right* ... is required to seek to become a Party subject to this Judgment though a noticed motion to intervene in this Judgment prior to commencing Production.” The foregoing language is applicable in the instant case, because Bart Chielens and Amy Jimenez (“BART CHIELENS AND AMY JIMENEZ”) proposes to acquire a Production Right via its approved New Production Application; thereby placing it neatly into the category of persons that were specifically expected to intervene into this Action, and thereby become one of the Parties bound by the Judgment.

II. STATEMENT OF FACTS

A. Identity of the Moving Party.

Bart Chielens and Amy Jimenez are the owners of certain real property commonly known as Los Angeles County Assessor Parcel Number 3277-026-011 (the “Property”). The Property and all water rights derived therefrom are subject to the terms and conditions of the Adjudication.

B. Procedural Background.

On December 3, 2015, this Court entered Judgment in the Antelope Valley Groundwater Cases; Judicial Council Coordination Proceeding No. 4408. The Judgment incorporates by reference the “Physical Solution”; which sets forth the factual and procedural history of this case, and a comprehensive ruling for allocation and administration of water and water rights in the Antelope Valley.

¹ All capitalized terms in this Motion and supporting documents have the same meanings as those set forth in the Judgment and/or the Physical Solution.

1 The Court adopted the Physical Solution “as the Court’s own physical solution” and declared that it is
2 binding upon all Parties as part of the Judgment.

3 The Judgment specifically contemplates that new production rights would be requested and
4 desirable for the community. In this regard, Section 18.5.13 sets forth detailed procedures and standards
5 for the application, consideration, and granting of new production rights. As set forth in detail below,
6 Bart Chielens and Amy Jimenez has complied with and satisfied all of the criteria for the granting of
7 new production rights.

8 **C. Factual Background.**

9 On March 19, 2025, Bart Chielens and Amy Jimenez filed a New Production Application with
10 the Watermaster.

11 Full and proper notice of the foregoing New Production Application was provided to all Parties
12 via: (i) email from the Watermaster to all Parties that have provided an email address, plus all non-
13 parties that have requested notice of applications and proceedings; (ii) posting the Watermaster Board
14 Agenda, which included the subject New Production Application, on the Watermaster website; and (iii)
15 posting the Watermaster Board Agenda on the bulletin board in the lobby of the Watermaster offices.

16 ***No objections to this New Production Application were filed by any Party to the Judgment, nor by any***
17 ***other member of the public.***

18 The New Production Application was processed and evaluated by the Watermaster
19 administrators and the Watermaster Engineer, in accordance with all the requirements set forth in the
20 Judgment. In this regard, the Watermaster administrators and the Watermaster Engineer determined and
21 confirmed that, to the extent required under the circumstances of this particular application:

- 22 a. Bart Chielens and Amy Jimenez paid the required fees;
 - 23 b. Bart Chielens and Amy Jimenez provided a written summary describing the
24 proposed quantity, sources of supply, season of use, purpose of use, place of use, manner of
25 delivery, and other pertinent information;
 - 26 c. Bart Chielens and Amy Jimenez provided the maps showing the location of the
27 new production;
- 28

1 d. Bart Chielens and Amy Jimenez provided details regarding the proposed new well
2 design, estimated annual pumping, and agreed to install a meter in accordance with Watermaster
3 Rules and Regulations; and a statement that once the well is installed, Bart Chielens and Amy
4 Jimenez will provide permits, specifications, and well-log reports, pump specifications and
5 testing results, and water meter specifications;

6 e. Bart Chielens and Amy Jimenez provided written confirmation that it has
7 obtained all necessary entitlements and permits from federal, state, county, and local
8 governments;

9 f. Bart Chielens and Amy Jimenez provided written confirmation that it has
10 complied with all applicable laws and regulations;

11 g. Bart Chielens and Amy Jimenez provided its water conservation plan;

12 h. Bart Chielens and Amy Jimenez provided an analysis of the economic impact that
13 the new production would have on the Basin and other producers in the subarea;

14 i. Bart Chielens and Amy Jimenez provided an analysis of the physical impact of
15 the new production would have on the Basin and other producers in the subarea;

16 j. Bart Chielens and Amy Jimenez provided a written statement from a licensed
17 engineer, signed by a California licensed and registered professional civil engineer with expertise
18 in groundwater hydrology, determining that the new production will not cause “material injury”,
19 as defined in the Judgment.
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21 During its review of the foregoing, the Watermaster administrators and the Watermaster
22 Engineer analyzed, accepted, and adopted the foregoing documents and information provided by Bart
23 Chielens and Amy Jimenez as accurate and sufficient, and therefore recommended to the Watermaster
24 Board of Directors that the New Production Application be granted.

25 On April 23, 2025, at its regular monthly meeting, the New Production Application was
26 considered and ***unanimously approved by the Watermaster Board.*** In this regard, the Watermaster
27 unanimously adopted *Resolution No. R-25-18, Approving Application for New Production With*
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1 *Requirement to Intervene Pursuant to the Terms of the Judgment With Specified Conditions.* Among
2 other things, the Watermaster resolved and determined as follows:

3
4 WHEREAS, the Watermaster Engineer has reviewed all the applications listed on
5 attached Exhibit A [including the application of Bart Chielens and Amy Jimenez] and has
6 made the appropriate findings, including that the applicant has a right to produce
7 groundwater under the Judgment or otherwise agrees to purchase replacement water, that
8 all conditions for new production are met under the Judgment and the Rules and
9 Regulations [of the Watermaster], and that no material injury will result from the
10 proposed production; and

11
12 WHEREAS, the Watermaster Board has considered and adopts the findings and
13 recommendations of the Watermaster Engineer and is prepared to approve the application
14 listed on Exhibit pursuant to any conditions recommended by the Watermaster Engineer
15 and so noted on Exhibit A.

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18 NOW, THEREFORE, BE IT RESOLVED, that the Watermaster Board unanimously
19 approves the applications for new production or new point of extraction of those Parties
20 or Persons whose names and information are listed on attached Exhibit A to this
21 Resolution as being consistent with the terms of the Judgment and applicable Rules and
22 Regulations.

23 As a condition of final approval, the Watermaster also requested, and BART CHIELENS AND
24 AMY JIMENEZ agreed, to intervene as a Party to the Judgment.

25 BART CHIELENS AND AMY JIMENEZ therefore filed the instant Motion to Intervene in the
26 Judgment. As noted above, *the Watermaster has stipulated to BART CHIELENS AND AMY*
27 *JIMENEZ's intervention into the Judgment.*

28 **III. LEGAL ARGUMENT**

A. The Judgment Specifically Provides for Intervention by Parties Who Propose to Acquire a Production Right.

When the Physical Solution was drafted and adopted, the Court anticipated that it would
inevitably be necessary to include additional persons as named Parties to the judgment. The Court
therefore provided the mechanism to achieve this result, via Section 20.9 of the Judgment, which
provides as follows:

1 **20.9 Intervention After Judgment.** Any Person who is not a Party or successor to
2 a Party and *who proposes to ... acquire a Production Right* ... is required to seek to
3 become a Party subject to this Judgment though a noticed motion to intervene in this
4 Judgment prior to commencing Production. Prior to filing such a motion, a proposed
5 intervenor shall consult with the Watermaster Engineer and seek the Watermaster's
6 stipulation to the proposed intervention. ... Thereafter, if approved by the Court, such
7 intervenor shall be a Party bound by this Judgment." (*Emphasis added*).

8 The foregoing language is applicable in the instant case, because BART CHIELENS AND AMY
9 JIMENEZ proposes to "acquire a Production Right"; thereby placing it neatly into the category of
10 persons that were specifically expected to intervene into this Action, and thereby become a Party bound
11 by the Judgment.

12 Intervention is proper under Section 20.9 of the Judgment, because the Watermaster Board has
13 approved the subject transaction, and confirmed that the transaction causes no Material Injury.
14 Additionally, the Watermaster emailed notice of the New Production Application to all Parties and other
15 interested persons, and posted notice of the proposed transaction on its website and bulletin board, and
16 no Party nor any member of the public objected thereto.

17 Since Movant is one of the exact categories of persons that the Court and all Parties expected to
18 intervene, and its proposed transaction is proper and has been approved by the Watermaster, Movant
19 respectfully requests that this Court enter an order granting this motion to intervene.

20 **B. Intervention is Necessary and Appropriate Under C.C.P. Section 387.**

21 BART CHIELENS AND AMY JIMENEZ intervention is also necessary and appropriate under
22 *California Code of Civil Procedure* Section 387. Section 387 provides that a Court *shall* permit a
23 nonparty to intervene in an action or proceeding when that party claims an interest relating to the
24 property that is the subject of the action, when the disposition of the action may impair or impede that
25 person's ability to protect that interest, and when that interest is not adequately represented by an
26 existing party. A Court *may* also permit intervention upon timely application by nonparty that has an
27 interest in the subject matter of the litigation that may be affected, when the intervention will not enlarge
28 the issues in the litigation and when the reasons for the intervention outweigh any opposition by the
parties presently in the action. (Cal Code Civ. Proc. § 387 subd. (d); *US Ecology, Inc. v. State of*

1 *California* (2001) 92 Cal App.4th 113, 139; *Timberidge Enterprises Inc. v. City of Santa Rosa* (1978) 86
2 Cal.App.3d 873, 881.)

3 In the instant case, both of the above tests are satisfied. Mandatory intervention is applicable
4 because: (i) BART CHIELENS AND AMY JIMENEZ claims an interest in the water Production Rights
5 which are the subject of the New Production Application; (ii) intervention is presently deemed necessary
6 by the Watermaster for the parties to transfer, own, and/or use the Production Rights; and (iii) no current
7 party represents the interests of the Movant.

8 Permissive intervention is also applicable because: (i) Movant claims an interest in the water
9 Production Rights which are the subject of the New Production Application; (ii) intervention will not
10 enlarge, alter, impair, nor in any way affect the issues in the litigation (since the litigation is entirely
11 resolved); and (iii) the reasons for intervention are to comply with the Judgment (which specifically
12 contemplates that new parties would intervene), and to comply with conditions required by the
13 Watermaster (that the parties intervene).

14 The intervention statute is designed to promote fairness and to ensure maximum involvement by
15 all responsible, interested, and affected parties. *Mary R. v. B. & R. Corp* (1983) 149 Cal.App.3d 308,
16 314. The statute “should be liberally construed in favor of intervention.” *Lindelli v. Town of San*
17 *Anselmo* (2006) 139 Cal.App.4th 1499, 1505. The Judgment, which controls, recognizes these principles
18 through Sections 20.9, which expressly provide for intervention *after* entry of the Judgment in order to
19 account for persons who “propose to ... acquire a Production Right” after the date of the Judgment.

20 **C. Movant Has Complied with the Requirements of the Judgment.**

21 As required by Section 20.9 of the Judgment, Movant has consulted with the Watermaster
22 Engineer and obtained the Watermaster’s stipulation to Movant’s proposed intervention. Movant has also
23 presented evidence that it proposes to “acquire a Production Right”; which is precisely one of the
24 categories of persons contemplated to intervene into the action and become a “Party” to the Judgment.
25 Lastly, Movant has properly and duly served this Motion in accordance with Section 20.7 of the Judgment
26 by e-filing on the Court’s website.
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1 **IV. PRAYER**

2 Movant respectfully requests that this Court grant its Motion to intervene and thereby become a
3 Party bound by the Judgment, pursuant to Section 20.9 of the Judgment.

4 Respectfully submitted,

5 LEVENTHAL LAW FIRM

6 /s/ David Leventhal

7 By DAVID LEVENTHAL, Esq.

8 Attorney for Movant

9 BART CHIELENS AND AMY JIMENEZ

DECLARATION OF AMY JIMENEZ

I, AMY JIMENEZ, declare as follows:

1. BART CHIELENS and myself are the owners of certain real property commonly known as Los Angeles County Assessor Parcel Number 3277-026-011 (the "Property"). The Property and all water rights derived therefrom are subject to the terms and conditions of the Adjudication.

2. I have personal knowledge of the matters set forth herein, and if called as a witness, I could competently testify thereto.

3. I have custody of originals of the documents attached hereto, which I have personally reviewed. In my capacity as a Custodian of Records, I hereby state that the documents attached hereto constitute writings compiled or prepared in the regular and ordinary course of business of BART CHIELENS AND AMY JIMENEZ. As to those documents compiled by or received from others, I hereby state that such records were placed in the proper files of BART CHIELENS AND AMY JIMENEZ at or near the time of receipt by a person employed by BART CHIELENS AND AMY JIMENEZ who had a duty to so act. As to those documents prepared by BART CHIELENS AND AMY JIMENEZ, I state from my own knowledge that each record or document was prepared by a person employed by BART CHIELENS AND AMY JIMENEZ, at or near the time of the act or event of which they are a record. I further state from my own knowledge that each such record or document prepared by BART CHIELENS AND AMY JIMENEZ was prepared by a person employed by BART CHIELENS AND AMY JIMENEZ who had personal knowledge of the event being recorded and who had a duty to so act.

4. On March 19, 2025, Bart Chielens and Amy Jimenez filed a New Production Application with the Watermaster.

5. Full and proper notice of the foregoing New Production Application was provided to all Parties via: (i) email from the Watermaster to all Parties that have provided an email address, plus all non-parties that have requested notice of applications and proceedings; (ii) posting the Watermaster Board Agenda, which included the subject New Production Application, on the Watermaster website; and (iii) posting the Watermaster Board Agenda on the bulletin board in the lobby of the Watermaster

1 offices. ***No objections to this New Production Application were filed by any Party to the Judgment,***
2 ***nor by any other member of the public.***

3 6. The New Production Application was processed and evaluated by the Watermaster
4 administrators and the Watermaster Engineer, in accordance with all the requirements set forth in the
5 Judgment. In this regard, the Watermaster administrators and the Watermaster Engineer determined and
6 confirmed that, to the extent required under the circumstances of this particular application:

- 7 a. Bart Chielens and Amy Jimenez paid the required fees;
- 8 b. Bart Chielens and Amy Jimenez provided a written summary describing the proposed
9 quantity, sources of supply, season of use, purpose of use, place of use, manner of delivery,
10 and other pertinent information;
- 11 c. Bart Chielens and Amy Jimenez provided the maps showing the location of the new
12 production;
- 13 d. Bart Chielens and Amy Jimenez provided details regarding the proposed new well
14 design, estimated annual pumping, and agreed to install a meter in accordance with
15 Watermaster Rules and Regulations; and a statement that once the well is installed, Bart
16 Chielens and Amy Jimenez will provide permits, specifications, and well-log reports, pump
17 specifications and testing results, and water meter specifications;
- 18 e. Bart Chielens and Amy Jimenez provided written confirmation that it has obtained all
19 necessary entitlements and permits from federal, state, county, and local governments;
- 20 f. Bart Chielens and Amy Jimenez provided written confirmation that it has complied with
21 all applicable laws and regulations;
- 22 g. Bart Chielens and Amy Jimenez provided its water conservation plan;
- 23 h. Bart Chielens and Amy Jimenez provided an analysis of the economic impact that the
24 new production would have on the Basin and other producers in the subarea;
- 25 i. Bart Chielens and Amy Jimenez provided an analysis of the physical impact of the new
26 production would have on the Basin and other producers in the subarea;
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1 j. Bart Chielens and Amy Jimenez provided a written statement from a licensed engineer,
2 signed by a California licensed and registered professional civil engineer with expertise in
3 groundwater hydrology, determining that the new production will not cause “material
4 injury”, as defined in the Judgment.

5 7. During its review of the foregoing, the Watermaster administrators and the Watermaster
6 Engineer analyzed, accepted, and adopted the foregoing documents and information provided by Bart
7 Chielens and Amy Jimenez as accurate and sufficient, and therefore recommended to the Watermaster
8 Board of Directors that the New Production Application be granted.

9 8. On April 23, 2025, at its regular monthly meeting, the New Production Application was
10 considered and ***unanimously approved by the Watermaster Board.*** In this regard, the Watermaster
11 unanimously adopted *Resolution No. R-25-18, Approving Application for New Production With*
12 *Requirement to Intervene Pursuant to the Terms of the Judgment With Specified Conditions.* Among
13 other things, the Watermaster resolved and determined as follows:

14 WHEREAS, the Watermaster Engineer has reviewed all the applications listed on
15 attached Exhibit A [including the application of Bart Chielens and Amy Jimenez] and has
16 made the appropriate findings, including that the applicant has a right to produce
17 groundwater under the Judgment or otherwise agrees to purchase replacement water, that
18 all conditions for new production are met under the Judgment and the Rules and
19 Regulations [of the Watermaster], and that no material injury will result from the
20 proposed production; and

21 WHEREAS, the Watermaster Board has considered and adopts the findings and
22 recommendations of the Watermaster Engineer and is prepared to approve the application
23 listed on Exhibit pursuant to any conditions recommended by the Watermaster Engineer
24 and so noted on Exhibit A.

25 ...

26 NOW, THEREFORE, BE IT RESOLVED, that the Watermaster Board unanimously
27 approves the applications for new production or new point of extraction of those Parties
28 or Persons whose names and information are listed on attached Exhibit A to this
Resolution as being consistent with the terms of the Judgment and applicable Rules and
Regulations.

9. As a condition of final approval, the Watermaster also requested, and BART CHIELENS
AND AMY JIMENEZ agreed, to intervene as a Party to the Judgment.

10. BART CHIELENS AND AMY JIMENEZ therefore filed the instant Motion to Intervene in the Judgment. As noted above, *the Watermaster has stipulated to BART CHIELENS AND AMY JIMENEZ's intervention into the Judgment.*

11. I am aware that the Watermaster's approval of these transactions is conditioned upon BART CHIELENS AND AMY JIMENEZ intervening to become a Party to the Judgment.

12. BART CHIELENS AND AMY JIMENEZ desires to intervene into this Action and become a Party to the Judgment herein, and I respectfully request that this Court enter an Order to that effect.

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

Executed on April 30, 2025, at Lancaster, California.

/s/ Amy Jimenez
Amy Jimenez

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1. I am an attorney at law duly licensed to practice before this Court, and as such, I am the lawyer for Movant Bart Chielens and Amy Jimenez in this action. I have personal knowledge of the facts set forth herein, and if called as a witness, I could competently testify thereto.

3. On April 22, 2024, I reviewed the website of the Antelope Valley Watermaster, which includes the Agenda Packet for the April 23, 2025 Watermaster Board Meeting. Within that Agenda Packet are the documents presented and considered by the Watermaster Engineer and the Watermaster Board, and its findings and related Resolutions in connection with Bart Chielens and Amy Jimenez's New Production Application; all of which are collectively attached hereto as Exhibit A and are incorporated herein by this reference. Among other things, the Watermaster Board Resolution states that:

WHEREAS, the Watermaster Board has considered and adopts the findings and recommendations of the Watermaster Engineer and is prepared to approve the application listed on Exhibit pursuant to any conditions recommended by the Watermaster Engineer and so noted on Exhibit A.

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2 NOW, THEREFORE, BE IT RESOLVED, that the Watermaster Board unanimously
3 approves the applications for new production or new point of extraction of those Parties
4 or Persons whose names and information are listed on attached Exhibit A to this
Resolution as being consistent with the terms of the Judgment and applicable Rules and
Regulations.

5 4. As a condition of final approval, the Watermaster also requested, and BART CHIELENS
6 AND AMY JIMENEZ agreed, to intervene as a Party to the Judgment.

7
8 I declare under the penalty of perjury under the laws of the State of California that the foregoing
9 is true and correct.

10 Executed on April 30, 2025, at Santa Clarita, California.

11 /s/ David Leventhal.
12 DAVID LEVENTHAL
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RESOLUTION NO. R-25-18

APPROVING APPLICATIONS FOR NEW PRODUCTION WITH REQUIREMENT TO INTERVENE PURSUANT TO THE TERMS OF THE JUDGMENT WITH SPECIFIED CONDITIONS; ATTACHED EXHIBIT A

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

WHEREAS, a process for considering and approving applications for new production is set forth in the Judgment and in the Rules and Regulations unanimously adopted by the Board pursuant to Resolution No. R-20-12; and

WHEREAS, the Watermaster Engineer is authorized under the Judgment to recommend to the Watermaster Board that application for new production be denied or approved, and that approval may be pursuant to certain conditions such as payment of a replacement water assessment; and

WHEREAS, pursuant to the terms of the Judgment, the Watermaster Engineer is required to make certain findings and to consider, investigate and recommend to the Watermaster Board denial or approval, or approval with certain conditions, of these applications consistent with the terms of the Judgment; and

WHEREAS, the Watermaster Engineer has reviewed all the applications listed on attached Exhibit A and has made the appropriate findings, including that the applicant has a right to produce groundwater under the Judgment or otherwise agrees to purchase replacement water, that all conditions for new production are met under the Judgment and the Rules and Regulations, and that no Material Injury will result from the proposed production; and

WHEREAS, Bart Chielens and Amy Jimenez are not a Party to the Judgment, and as such Bart Chielens and Amy Jimenez may not produce water until they successfully intervene as Parties to the Judgment; and

WHEREAS, in consultation with the Watermaster General Counsel, the Watermaster Engineer has reviewed the Application and, if the Board chooses to approve the Application, recommends that approval be subject to the following conditions, as noted on Exhibit A:

- (1) Bart Chielens and Amy Jimenez must file a motion to intervene as a Party to the Judgment no later than thirty (30) days after the date of this Resolution;
- (2) the proposed new production shall be of no force or effect until has successfully intervened as a Party to the Judgment;
- (3) nothing in this Resolution shall be construed as precedent or authority for any non-Party to receive a Production Right without first intervening in the Judgment.

WHEREAS, the Watermaster Board has considered and adopts the findings and recommendations of the Watermaster Engineer and is prepared to approve the application listed on Exhibit A pursuant to any conditions recommended by the Watermaster Engineer and so noted on Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the Watermaster Board unanimously approves the applications for new production or new point of extraction of those Parties or Persons whose names and information are listed on attached Exhibit A to this Resolution as being consistent with the terms of the Judgment and applicable Rules and Regulations.

I certify that this is a true copy of Resolution No. R-25-18 as passed by the Board of Directors of the Antelope Valley Watermaster at its meeting held on April 23, 2025, in Palmdale, California.

Date: 4-23-25

ATTEST: Patricia Rose
Patricia Rose – Secretary

Robert Parris
Robert Parris, Chairperson

**Exhibit A Attachment to
Resolution No. R-25-18**

**APPROVING APPLICATIONS FOR NEW PRODUCTION
PURSUANT TO THE TERMS OF THE JUDGMENT**

APN#	Amount Requested	Use of Well	Subarea	Applicant/Property Owner
3277-026-011	1 AFY	Domestic	West Antelope	Bart Chielens & Amy Jimenez