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10 Johnny Lee Zamrzla and Jeanette Zamrzla (collectively
11 "Zamrzla's")

12 SUPERIOR COURT OF CALIFORNIA
13 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

14 Coordinated Proceeding,
15 Special Title (Rule 1550(b))

16 ANTELOPE VALLEY
17 GROUNDWATER CASES.

Judicial Council Coordination
Proceeding No. 4408

LASC Case No. BC 32501

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

18 **DECLARATION OF PAMELLA ZAMRZLA**
19 **RE OPPOSITION BY THE ZAMRZLA'S**
20 **TO THE WATERMASTER'S MOTION**
21 **FOR MONETARY, DECLARATORY AND**
22 **INJUNCTIVE RELIEF AGAINST**
23 **ZAMRZLA'S**

24 Date: November 12, 2021
25 Time: 9:00 a.m.
26 Dept.: By Court call

27 I, PAMELLA ZAMRZLA, declare as follows:

28 1. I am submitting this declaration in response to the Watermaster's Motion for
Monetary, Declaratory and Injunctive Relief Against Zamrzla's ("Motion"). I have read and

1 reviewed the Motion and am personally familiar with its contents.

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

4 3. I have read and reviewed the declaration submitted by my spouse, Johnny
5 Zamrzla, and agree with each and every statement made in his declaration and incorporate his
6 comments into my declaration.

7 4. Together with my husband, Johnny Zamrzla, we have owned and lived in our
8 home at 48910 80th St. West, Lancaster, California since 1970. We currently own three parcels
9 of land, as follows:

10 a. 48910 80th St. West, Lancaster, California (APN 3220-006-026). This
11 property comprises 40 acres and is our home and ranch property. This
12 property has one well on it, designed originally to irrigate 40 acres of
13 crop production.

14 b. Vacant land 39.09 acres; vicinity W Ave D & 75th ST W, Lancaster,
15 California (APN's 3220-006-002).

16 c. Vacant land 40 acres; vicinity W Ave D4 & 75th ST W, Lancaster,
17 California (APN 3220-006-003).

18 5. These two parcels comprise a total of 79 acres. Parcel #APN 3220-006-003 has
19 one turbine well on it that was designed to irrigate 80 acres. 2017 was the last year that we
20 irrigated these 79 acres and the crop grown was alfalfa for our own animal's use. We do not
21 grow alfalfa for sale and we have not irrigated or produced any crop on this property since the
22 year 2017. The Declaration of Rick Koch served and filed herewith shows our water production
23 from 2011 to 2020.

24 6. Neither I nor my spouse, Johnny Zamrzla, were ever parties to this litigation.
25 Further, (1) we were never served with any documents regarding this case; (2) to our
26 knowledge, we were never named as a party to any pumper class or stipulating group or entity
27 of any kind; (3) we never received any documents at all regarding the Small Pumper Class in
28

1 this case; and (4) by definition, we are not small pumpers¹.

2 7. Our only daughter turned 51 years old last month in October 2021. She was 2
3 weeks old in October 1970 when Johnny and I moved her and her two brothers from the Los
4 Angeles area to a small ranch house surrounded by an alfalfa field in the Antelope Valley at
5 48910 80th St. West, Lancaster, California.

6 8. Throughout 1970's and 1980's we farmed alfalfa, raised cattle and horses, but it
7 was never our livelihood. For 10 years, from 1970 to 1980, we joined the commuters on the
8 incomplete 14 freeway driving south to Bell, California, to work and build our roofing
9 contracting business so we could pay the mortgages we owed on our home and property.

10 9. We worked hard to be able to live on our land because it was the rural life we
11 wanted to provide for our family. More than once during those early years, we had to borrow
12 money to stop foreclosures on mortgage loans or to pay delinquent property taxes. There were
13 many hard and difficult years, but we built a life and raised our family here.

14 10. We have always given back to our Antelope Valley, the community that we've
15 loved and supported for over fifty years. We have been active volunteers and conscientious
16 stewards of our land, including our continuous 50+ years of pumping water from our well.

17 11. In the 1980's we were able to lease business space in Lancaster, California and
18 were able to relocate our roofing business from Bell to the Antelope Valley. We were finally no
19 longer commuters to the Los Angeles area.

20 12. In 1993 we acquired an office and warehouse at 2229 E Ave Q, in Palmdale,
21 California, and that has been our permanent business location for Western Pacific Roofing Corp
22 for nearly 30 years.

23 13. As previously stated above, we were never served or named as a party to any
24 pumper class or any stipulating group or entity regarding this case.

25 14. We received our first notification from the Watermaster on July 16, 2018, via a
26

27 ¹ I have seen that the definition of a Small Pumper states that one is not a small pumper if they have
28 pumped 25 acre-feet or more of groundwater for use on a parcel in any calendar year since 1946. We
pumped more than 25 acre-feet every year from 1970 to 2018 on our property.

1 letter from Craig Parton, dated June 09, 2018 (dated over 30 days earlier than received). A true
2 and correct copy of that letter is attached as Exhibit A to the List of Exhibits submitted with the
3 Opposition to the Motion. The subject of the letter was:

4 Re: **PUMPING OF GROUNDWATER FROM THE ANTELOPE VALLEY**
5 **ADJUDICATED BASIN**

6 15. Mr. Parton's letter advises there is a "process for non-parties to intervene in the
7 Judgment to become a party..." He goes on to state "Intervening to become a party to the
8 Judgment actually has a number of potential advantages..."

9 16. Because we were never served with any documents regarding this water
10 litigation, we did not retain legal counsel to represent us in this matter until July 2018.

11 17. Following the July 16, 2018 receipt of Craig Parton's letter dated June 09, 2018,
12 we retained Robert Brumfield as our legal counsel.

13 18. Through our counsel, Robert Brumfield, we provided to Craig Parton the
14 information he requested regarding our land ownership.

15 19. I personally prepared the property information, history of land usage and
16 estimates of past and future water production. The information I compiled was submitted to the
17 Watermaster in 2018 and 2019 at the request of Mr. Parton. These are attached to the Motion as
18 Exhibit A (which includes our son's property at the third page of Exhibit A).

19 20. Craig Parton used our "estimated" water production summary we submitted in
20 2018 and later claim that our 2018 submission was actual usage. He falsely stated that we were
21 "changing" our 2018 water production information from "actual" to "estimated".

22 21. This was a purposeful misrepresentation by the Watermaster and Craig Parton.
23 Our 2018 documentation we provided stated that the information therein were estimates.

24 22. In 2019, I personally prepared and provided our first summary of actual water
25 production amounts for the years 2017 and 2018 based on Southern California Edison ("SCE")
26 billings, kWh used and efficiency testing of both our wells. This data was made available to us
27 by Rick Koch of SCE.

1 23. The Watermaster's false declaration states that we were trying to "correct" our
2 2018 submission, and he claims we said we "made a mistake". See, paragraph 3 of Mr. Parton's
3 declaration submitted in support of the Motion.

4 24. We never claimed we made a mistake or that we were "correcting" any previous
5 information. We never changed our 2018 "estimated data". The only statement of "water
6 production usage" we provided to Craig Parton was in 2019 when we submitted the SCE
7 documented billings, kWh used and efficiency well testing data received from SCE.

8 25. The SCE data we provided showed that no power was used and no water was
9 pumped in 2018 on the 79 acres for which the Watermaster billed us.

10 26. To suit and serve his false premise and purpose, Craig Parton misstated and lied
11 about the numbers we submitted in 2018. In further exaggeration of his lie, Mr. Parton said the
12 Zamrzla's stated they had mistakenly submitted their "estimates as the amount used".

13 27. If not outright fraudulent, Mr. Parton is an incompetent representative of the
14 Antelope Valley Watermaster. He has billed the Watermaster for his own wasted time and
15 money and he has caused the wasted time and money of the Zamrzla's. All this waste is caused
16 by Mr. Parton and apparently done for the purpose of trying to force small pumper classification
17 down our throats

18 28. Craig Parton has filed a bad faith Motion against us and the rubber stamp
19 approval of his bad faith Motion by the Board he serves shows neglect and disregard for their
20 obligation to exercise good judgement in wielding their authority.

21 29. Craig Parton has billed us for water that was never pumped in 2018. His invoice
22 has been proved erroneous and yet he has refused to rescind it. Why? To embarrass us with a
23 publicly posted invoice? To bully us with a false claim of huge amounts of money he says we
24 owe to the Watermaster?

25 30. I also note that the declaration of Patricia Rose submitted with the Motion seems
26 to claim that we should have paid the \$273,165 invoice!

1 31. Craig Parton has continued to present false information regarding our water
2 usage even when we have proven he is wrong. Explanations for Mr. Parton's
3 misrepresentations are difficult to find, but there are a few:

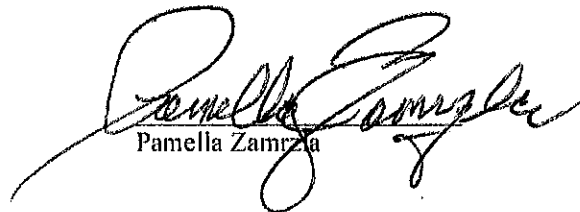
- 4 a. Intentional, with malice
5 b. Indifference to the truth
6 c. Irresponsible
7 d. Lazy

8 The court should hold Mr. Parton accountable for his layers and layers of wrongful actions
9 against the Zamrzla's.

10 32. At this point in time, my spouse and I are exploring all options regarding our
11 water usage on our parcels including, but not limited to, a motion to intervene in the judgment in
12 this case as Mr. Parton offered in his June 9, 2018 letter. This may involve adding further legal
13 counsel to our team to associate in and assist, but not replace, Mr. Brumfield.

14 33. Accordingly, and pending a decision as to a motion to intervene (or perhaps other
15 approaches that have not been determined yet), I believe that the Motion is premature, does not
16 reflect any type of emergency requiring the Motion to be heard and the merits ruled upon at this
17 time, and should therefore be denied without prejudice pending further discussions by and
18 between me and my spouse and Mr. Parton and/or the Watermaster board.

19 I declare under the penalty of perjury under the laws of the State of California that this
20 declaration is true and correct and was executed on November 12, 2021, at Lancaster,
21 California.

22
23 
24 Pamela Zamrzla
25
26
27
28

PROOF OF SERVICE (C.C.P. §1013a, 2015.5)

I am employed in the County of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 1810 Westwind Drive, Bakersfield, CA 93301.

On November 12, 2021, I served the foregoing document(s) entitled:

**DECLARATION OF PAMELLA ZAMRZLA RE OPPOSITON BY THE ZAMRZLA'S TO
THE WATERMASTER'S MOTION FOR MONETARY, DECLARATORY AND
INJUNCTIVE RELIEF AGAINST ZAMRZLA'S**

X by placing the original, X a true copy thereof on all interested parties.

X **BY ELECTRONIC SERVICE:**

I posted the document(s) listed above to the Santa Clara Superior Court Website @ www.scefiling.org and Glotrans website in the action of the Antelope Valley Groundwater Cases.

X (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 12, 2021, at Bakersfield, California.


SERENA BRAVO