

## Linda M. DeRosa

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**From:** Claire H. Collins  
**Sent:** Friday, June 16, 2023 6:02 PM  
**To:** Craig A. Parton  
**Cc:** Cameron Goodman  
**Subject:** RE: Barrel Springs Request for Reconsideration

Mr. Parton:

On May 8, I asked that the Board reconsider its April 26, 2023 denial of my client's application. We were unable to meet regarding my request until May 25, a full month after the Board voted no. This delay is troubling enough; I am concerned that your questions pretend the Board needs additional information to reconsider the application, when all the required information was provided prior to the April meeting, vetted by the Watermaster's engineer, and formed the basis for the engineer's recommendation of approval.

Accordingly, here are my responses to your seven questions:

1. The Watermaster's engineer has already verified these calculations, which were included in our original application. Indeed, the Board already has delayed this project unnecessarily by claiming it too complicated to process timely, which delayed us from October 2022 to April 2023. The staff report prepared for the April Board meeting vetted and approved the calculations, finding them to be correct.
2. The Watermaster's engineer addressed replacement water as well. No new or different information has come to light that would alter that analysis.
3. Impact to wells in the vicinity likewise already has been addressed by the Watermaster's engineer, who found no Material Injury will result from the proposed production.
4. Rules relating to Small Community Water Systems have no bearing on the determination with respect to Material Injury.
5. The Watermaster's engineer already has addressed the relevance of proximity to the San Andreas fault.
6. Those data are known to the Board.
7. The Watermaster's engineer already has addressed the issue of capacity. Conditioning approval on the completion of a successful aquifer test is not reconsideration, it is a different application.

Your request for information in response to "questions touched upon" in the May 25 meeting reveals that the Board is not looking to reconsider my client's application. Indeed, the reference to Chairman Parris's concerns confirms as much since his alternate was present at the April Board meeting and voted "yes" on the application. The record is complete, all requirements for approval were met. The reason for our meeting request was to understand the bases for the lone "no" vote of Director MacLaren, so that we could hopefully provide her with any necessary and relevant information. Director MacLaren emphatically proffered no reason for her "no" vote during our meeting, confirming that it was arbitrary and capricious.

To be clear, my client no longer asks the Board to reconsider its April action. There has been too much delay under the guise of "confusion," "complexity," and a claimed need to seek clarity, which delay amounts to a denial of my client's rights.

My client will consider how to pursue its remedies available under California law.

CHC

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**Claire H. Collins**

**Partner**

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**From:** Craig A. Parton <Cparton@ppplaw.com>  
**Sent:** Friday, June 2, 2023 2:43 PM  
**To:** Claire H. Collins <CCollins@hansonbridgett.com>  
**Cc:** Cameron Goodman <cgoodman@ppplaw.com>  
**Subject:** [EXTERNAL] FW: Barrel Springs Request for Reconsideration

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Claire: Just want to confirm you got my message below from last week and to express our hope that you will provide supplemental responses to some or all of the questions posed below.....Thanks in advance for your professional cooperation....Craig



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**From:** Craig A. Parton  
**Sent:** Thursday, May 25, 2023 6:46 PM  
**To:** 'Claire H. Collins' <[CCollins@hansonbridgett.com](mailto:CCollins@hansonbridgett.com)>  
**Cc:** Cameron Goodman <[cgoodman@ppplaw.com](mailto:cgoodman@ppplaw.com)>  
**Subject:** Barrel Springs Request for Reconsideration

Claire: Pursuant to the request in your May 8<sup>th</sup> letter and pursuant to our meeting today with your team and with Rob Parris, Kathy MacLaren, Matt Knudson and myself, Board Chairman Parris will agendize for the June 28<sup>th</sup> Board meeting the reconsideration of your client's application. As you know, that original application was the subject of a no vote at the April 26<sup>th</sup> Board meeting.

We are willing to enter into a stipulation to extend your time to file a motion under Section 20.3.3 of the Judgment to allow your request for reconsideration to be fully discussed and voted upon. Finally I will request that the Board waive any fees that might be imposed under the Judgment or the Rules and Regulations pertaining to reconsideration of your application.

Among the issues Chairman Parris (who was absent at the April Board meeting) and Director MacLaren would like to explore in more detail with your team and with representatives of Todd Groundwater at the June meeting of the Board and in a public session are the following questions touched upon in today's meeting:

1. Consideration of whether your application is correct in its water calculations for domestic use (10afy servicing 144 people).
2. Whether Replacement Water is capable of recharging the pertinent Project area.
3. Project impact on wells in the vicinity of the Project area.
4. Is the Project impacted by the rules pertaining to Small Community Water Systems? If so, is it in compliance with those rules?
5. Is it relevant that the Project is near the State aqueduct?
6. Has the Board in fact approved similar or even larger New Production applications in the past? If so, which ones?
7. Would the applicant consider conditioning the approval of its Project on a successful aquifer test that demonstrates sufficient capacity to meet Project needs?

We welcome your written comments on these subjects well in advance of the June Board meeting in order to give the Todd Groundwater group, as well as the Advisory Committee (which meets on June 20<sup>th</sup>), time to reflect on your responses.

Thank you for your anticipated professional cooperation.....Craig Parton, General Counsel for the Antelope Valley Watermaster



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**From:** Claire H. Collins <[CCollins@hansonbridgett.com](mailto:CCollins@hansonbridgett.com)>  
**Sent:** Monday, May 8, 2023 7:02 PM  
**To:** Craig A. Parton <[Cparton@ppplaw.com](mailto:Cparton@ppplaw.com)>  
**Cc:** Cameron Goodman <[cgoodman@ppplaw.com](mailto:cgoodman@ppplaw.com)>  
**Subject:** Barrel Springs Request for Reconsideration

Dear Mr. Parton:

Per my discussion with Mr. Goodman, please find attached a letter on behalf of the Barrel Springs applicants requesting reconsideration of the application.

Thank you,  
CHC

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