

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Bennie E. and Annette Moore FIRM NAME: STREET ADDRESS: 3600 Harbor Blvd, Suite 110-470 CITY: Oxnard STATE: CA ZIP CODE: 93035 TELEPHONE NO.: 661-492-6150 FAX NO.: E-MAIL ADDRESS: annettemmoore5@gmail.com ATTORNEY FOR (name): Pro Per	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse	
PLAINTIFF/PETITIONER: Coordination Proceeding, Special Title (Rule 1559 (b)), DEFENDANT/RESPONDENT: (Antelope Valley Groundwater Cases) OTHER PARENT/PARTY:	
APPELLANT'S PROPOSED SETTLED STATEMENT (UNLIMITED CIVIL CASE)	SUPERIOR COURT CASE NUMBER: BC325201
Re: Appeal filed on (date): July 15, 2025	COURT OF APPEAL CASE NUMBER (if known): B348133
Notice: Please read <i>Information Sheet for Proposed Settled Statement</i> (form APP-014-INFO) before completing this form. You must file this form in the superior court, not in the Court of Appeal.	

1. PRELIMINARY INFORMATION

- a. I am appealing (check one): ☒ an order filed on ☐ a judgment entered on (date): **May 14, 2025**
- b. On (date): **July 15, 2025**, I filed a notice of appeal. A copy of the judgment or order I am appealing is attached.
- c. On (date): **August 5, 2025**, (check the one that applies):
- (1) ☒ I filed a notice designating the record on appeal, choosing to use a settled statement.
- (2) ☐ The court sent me ☐ I was served with an order granting my request to use a settled statement.
- d. ☐ On (date):, the court ordered me to modify or correct my proposed settled statement.

2. REASONS FOR YOUR APPEAL

(Check all that apply and describe the error or errors you believe were made that are the reasons for this appeal.)

- a. ☒ **No substantial evidence.** There was no substantial evidence that supported the judgment or order that I am appealing.
 (Explain why you think the judgment or order was not supported by substantial evidence.)
 The Watermaster's motion relied on the Judgment as authority, but it does not override the bundle of rights that directly descend from the federal land patent from over 100 years ago.

☒ [Attachment 2a](#)

- b. ☒ **Errors.** The following error or errors about either the law or court procedure affected the outcome of the case (Describe each error.)
 The Judge failed to properly take into account the impact of the Federal Land Patent.

☒ [Attachment 2b](#)

PLAINTIFF/PETITIONER: Coordination Proceeding, Special Title (Rule 1559 (b)), DEFENDANT/RESPONDENT: (Antelope Valley Groundwater Cases)	SUPERIOR COURT CASE NUMBER: BC325201
OTHER PARENT/PARTY:	COURT OF APPEAL CASE NUMBER (if known): B348133

3. SUMMARY OF THE PARTIES' TESTIMONY AND OTHER EVIDENCE

- a. Did any of the parties testify at the trial or hearing? ☒ No ☐ Yes

(Specify the name of the party who testified and the date on which the party testified. Then write a complete and accurate summary of what each party said that is relevant to the reasons you gave in item 2 for this appeal (for example, what the party said in response to questions asked by the party's own attorney, the other party (or the attorney), and/or the court). Include only what was actually said; do not comment or give your opinion about what was said.)

(1) Name of party:
Summary:

testified on (date):

☐ [Attachment 3a\(1\)](#)

- (a) Did a party (or attorney) make an objection to this party's testimony? ☐ No ☐ Yes (Specify in item 3b.)
- (b) During this party's testimony, were any exhibits (documents, records, or other materials) relevant to the appeal presented that the judge allowed to be used as evidence to support or disprove this party's testimony? ☐ No ☐ Yes (Specify in item 3c.)
- (c) During this party's testimony, were any exhibits (documents, records, or other materials) relevant to the appeal presented that the judge *did not* allow to be used as evidence to support or disprove this party's testimony? ☐ No ☐ Yes (Specify in item 3d.)

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3. a. (2) Name of party: _____ testified on (date): _____
Summary: _____

- ☐ [Attachment 3a\(2\)](#)
- (a) Did a party (or attorney) make an objection to this party's testimony? ☐ No ☐ Yes (Specify in item 3b.)
- (b) During this party's testimony, were any exhibits (documents, records, or other materials) relevant to the appeal presented that the judge allowed to be used as evidence to support or disprove this party's testimony? ☐ No ☐ Yes (Specify in item 3c.)
- (c) During this party's testimony, were any exhibits (documents, records, or other materials) relevant to the appeal presented that the judge *did not* allow to be used as evidence to support or disprove this party's testimony? ☐ No ☐ Yes (Specify in item 3d.)

(3) Was there testimony from other parties? ☐ No ☐ Yes

(If you answered yes, fill out and attach to this form Other Party and Nonparty Witness Testimony and Evidence Attachment (form APP-014A).)

PLAINTIFF/PETITIONER: Coordination Proceeding, Special Title (Rule 1559 (b)), DEFENDANT/RESPONDENT: (Antelope Valley Groundwater Cases)	SUPERIOR COURT CASE NUMBER: BC325201
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3. b. **Objections to a party's testimony relevant to the appeal**

(Indicate which party's testimony was objected to and specify the objection. Also indicate whether the court "sustained the objection" (prevented the party from saying something) or "overruled the objection" (allowed the party to make a statement) and include any explanation given by the court.)

☐ [Attachment 3b](#)

- c. **Exhibits (documents, records, or other materials) relevant to the appeal allowed to be used as evidence to support or disprove a party's testimony.** *(Write a complete and accurate summary of the exhibits presented by each party. Include any objections and the court's ruling on those objections. Do not comment or give your opinion about the exhibits.)*

☐ [Attachment 3c](#)

- d. **Exhibits (documents, records, or materials) relevant to the appeal *not* allowed to be used as evidence to support or disprove a party's testimony.** *(Write a complete and accurate summary of the exhibits. Include any objections and the court's ruling on those objections. Do not comment or give your opinion about the items.)*

☐ [Attachment 3d](#)

PLAINTIFF/PETITIONER: Coordination Proceeding, Special Title (Rule 1559 (b)), DEFENDANT/RESPONDENT: (Antelope Valley Groundwater Cases)	SUPERIOR COURT CASE NUMBER: BC325201
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4. SUMMARY OF NONPARTY WITNESS TESTIMONY AND OTHER EVIDENCE

Was there testimony from another party or nonparty witnesses that is relevant to the reasons for the appeal?

- ☒ No (skip to Item 5) ☐ Yes (Fill out and attach to this form Other Party and Nonparty Witness Testimony and Evidence Attachment (form APP-014A))

5. TRIAL COURT'S FINDINGS

- a. Did the judge make findings at the hearing or trial in the case? ☒ No ☐ Yes (Complete item 5b.)
(A judge makes a "finding" when the judge decides that something is a fact, is true, or is relevant.)
- b. What are the findings that the judge made that are relevant to the reasons for the appeal?

☐ [Attachment 5](#)

6. SUMMARY OF MOTIONS

- a. Are any of your reasons for appeal based on your disagreement with the court's ruling on a motion or motions?
☒ Yes (Fill out b.) ☐ No (Skip to item 7.)
- b. Describe the motion. (State which party made the motion. Then, write a complete and accurate summary of what was said (any testimony and arguments) and what the court decided (whether the court granted or denied the motion).)
Please see Attachment 6.

☒ [Attachment 6](#)

7. SUMMARY OF JURY INSTRUCTIONS

- a. Are any of your reasons for appeal based on your disagreement with the court's ruling on a jury instruction or instructions?
☐ Yes (Fill out b.) ☒ No (Skip to item 8.)
- b. Identify the jury instruction and the party that requested it. (Summarize what the parties said (arguments or objections) and what the court decided (whether the court gave the instruction to the jury, refused to give the instruction to the jury, or modified it before giving it to the jury). Describe any modifications the court made to the instruction.)

☐ [Attachment 7](#)

8. ORDER OR JUDGMENT YOU ARE APPEALING

Attach a copy of the order or judgment you are appealing.

Date: October 2, 2025

Bennie E. and Annette Moore
(TYPE OR PRINT NAME)

Signed by:	Signed by:
	
02F3C109023040C...	02F3C109023040C...
(SIGNATURE OF PARTY OR ATTORNEY)	(SIGNATURE OF PARTY OR ATTORNEY)

SHORT TITLE: Antelope Valley Groundwater Cases	CASE NUMBER: B348133
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ATTACHMENT (Number): 2a

(This Attachment may be used with any Judicial Council form.)

On October 28, 2024, the Antelope Valley Watermaster filed a Motion for Monetary, Declaratory and Injunctive Relief Against Annette Moore and Bennie Moore arguing that the Moores were included in the lists of “Non Appearing Parties“ at Exhibits B and D to the Judgment and Physical Solution entered on December 23, 2015 and, as such, are the same as defaulted parties which have no water rights pursuant to the Judgment; and that the Moores had been producing and selling water derived from the Antelope Valley Adjudicated Basin without paying assessments under Judgment. The motion conceded that the Moores own Property overlying the Basin. The Motion sought declaratory and injunctive relief to prohibit the Moores and anyone acting on their behalf from producing any further groundwater from the Basin until the Moores: (1) submit Annual Water Production Reports for years 2016 through 2023; (2) pay delinquent Assessments with interest thereon and Watermaster’s attorneys’ fees; (3) install approved water flow meters on all of their wells; and (iv) submit, and the Watermaster approves, an Application for “New Production”.

The Moores opposed the Motion because they hold federally reserved water rights as a result of the fact that the property at issue derives its title directly from a federal land patent. The Moores also opposed the Motion because they have long used the groundwater for domestic and irrigation uses on their overlying property, and they were denied due process because they did not receive notice of the trial or the judgment meaning they did not have the opportunity to be heard in the Court proceedings that resulted in allocation of water rights. In conjunction with the Opposition, the Moores explained that their land was deeded by the Southern Pacific Railroad to a predecessor owner who then deeded the land to Bitticks, who deeded it to Hunter, who deeded it to Moore. The Moores additionally clarified why the address and assessor’s parcel number changed because of highway construction. The Moores provided a certified copy of the land patent and a certified copy of the original land deed. The Moores also provided the Court with a transcription of the land patent and deed painstakingly prepared to assist in its reading.

On March 28, 2025, Judge Jack Komar held a telephonic hearing on the Motion using Courtcall. Craig Parton appeared for the Watermaster, and Marc Appell appeared for the Moores. Bennie and Annette Moore were also on the Courtcall. At the hearing, Mr. Parton argued that the documentation provided by the Moores related to their federal land patent was illegible and should not be considered by the Court. Mr. Parton additionally claimed that the assessor’s parcel number and address noted in the land patent documentation was different than those at issue. Mr. Appell referred the Court back to the land patent documentation provided with the Opposition, but the Judge refused to consider the certified documents. The Judge questioned how the Watermaster could know how much water had been used for purposes of charging the Moores, and expressed an intent to rule against the Watermaster on that particular issue. The Judge eventually issued an order on May 2, 2025, granting the Watermaster’s Motion.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

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(Add pages as required)

SHORT TITLE: Antelope Valley Groundwater Cases	CASE NUMBER: B348133
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ATTACHMENT (Number): 2b

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SHORT TITLE: Antelope Valley Groundwater Cases	CASE NUMBER: B348133
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ATTACHMENT (Number): 6

(This Attachment may be used with any Judicial Council form.)

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I am employed in the County of Orange, State of California. I am over the age of 18, and not a party to the within action. My business address is 2030 Main Street, Suite 1500, Irvine, CA 92614.

**SERVICE LIST IS MAINTAINED FOR THIS CASE AT
WWW.AVWATERMASTER.ORG**

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

/s/ Ashley Young
Ashley Young

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SERVICE LIST

Craig A. Parton, Esq. Cameron Goodman, Esq. Jeff F. Tehakarov, Esq. PRICE, POSTEL & PARMA 200 East Carrillo Street, 4 th Floor Santa Barbara, CA 93101	Attorneys for Antelope Valley Watermaster Tel: (805) 962-0011 Fax: (805) 965-3978 Cparton@ppplaw.com ; cg@ppplaw.com ; jft@ppplaw.com
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