ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER:
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:

SUPERIOR COURT CASE NUMBER:
BC325201

APPELLANT'S PROPOSED SETTLED STATEMENT (UNLIMITED CIVIL CASE)

COURT OF APPEAL CASE NUMBER *(if known)*:
B348133

Re: Appeal filed on *(date):* July 15, 2025

Notice: Please read *Information Sheet for Proposed Settled Statement* (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 2, 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) OTHER PARENT/PARTY:	SUPERIOR COURT CASE NUMBER: BC325201
	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: testified on *(date):*
Summary:

☐ 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.)*

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

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
OTHER PARENT/PARTY:	COURT OF APPEAL CASE NUMBER *(if known)*: B348133

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
OTHER PARENT/PARTY:	COURT OF APPEAL CASE NUMBER *(if known)*: B348133

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. dentify 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: Bennie Moore 02F3C109023040C...
Signed by: Annette Moore 02F3C109023040C...
▶ (SIGNATURE OF PARTY OR ATTORNEY)

CRAIG A. PARTON, State Bar No. 132759
TIMOTHY E. METZINGER, State Bar No. 145266
CAMERON GOODMAN, State Bar No. 307679
PRICE, POSTEL & PARMA LLP
200 East Carrillo Street, Fourth Floor
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Attorneys for
Antelope Valley Watermaster

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

Coordination Proceeding, Special Title (Rule 1550(b))	Judicial Council Coordination Proceeding No. 4408
ANTELOPE VALLEY GROUNDWATER 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
	NOTICE OF ENTRY OF ORDER
AND ALL RELATED ACTIONS	

PLEASE TAKE NOTICE that the Order After Hearing on the Motion by the Antelope Valley Watermaster for Monetary, Declaratory and Injunctive Relief Against Annette Moore and Bennie E. Moore was entered May 2, 2025. A copy of the Order is attached to this notice.

Dated: May 14, 2025

PRICE, POSTEL & PARMA LLP

By: _____
CRAIG A. PARTON
TIMOTHY E. METZINGER
Attorneys for
Antelope Valley Watermaster

Craig A. Parton, State Bar No. 132759
Cameron Goodman, State Bar No. 307679
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Attorneys for
Antelope Valley Watermaster

Exempt from Filing Fees
Government Code § 6103

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

Coordination Proceeding,
Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER CASES

AND ALL RELATED ACTIONS

Judicial Council Coordination Proceeding No. 4408

LASC Case No.: BC 325201

Santa Clara Court Case No. 1-05-CV-049053

Assigned for all purposes to:
Hon. Jack Komar

~~AMENDED [PROPOSED]~~ ORDER GRANTING ANTELOPE VALLEY WATERMASTER'S MOTION FOR MONETARY, DECLARATORY AND INJUNCTIVE RELIEF AGAINST ANNETTE MOORE AND BENNIE E. MOORE

Date: ~~TBD~~ 3/28/2025
Time: TBD
Dept: Courtcall

TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

On March 28, 2025, the Court held a hearing by Courtcall, the Honorable Jack Komar, judge presiding, on a Motion for Monetary, Declaratory and Injunctive Relief ("Motion") against Respondents Annette Moore and Bennie E. Moore (collectively, "Respondents"). Appearances were as noted on the record.

The Court having reviewed and considered the Motion, all papers in support of and in opposition thereto, as well as oral arguments during the hearing on the matter, and proof having been made to the satisfaction of the Court that said Motion should be granted, and finding good cause therefor:

IT IS HEREBY ORDERED that Respondents, their agents, representatives, employees, contractors and any individuals or entities acting on Respondents' behalf or under Respondents' direction or supervision shall be and hereby are restrained and enjoined from producing any further groundwater in the Antelope Valley Adjudicated Basin until Respondents: (i) submit to the Watermaster Annual Water Production Reports for all years during the period of 2016 through 2023; (ii) pay to the Watermaster all delinquent Replacement Water Assessments and Administrative Assessments, plus interest thereon and attorneys' fees, as requested in the Motion; (iii) install Watermaster Engineer-approved water flow meters on all wells at the real properties associated with Los Angeles County Assessor's Parcel Number 3278-019-017 and commonly known as 24825 Lancaster Road, Lancaster, CA 93536 and 24715 W. Ave. D, Lancaster, CA 93536 and (iv) submit, and the Watermaster approves, an Application for New Production.

IT IS SO ORDERED.

Date: May 2, 2025

Judge of the Superior Court

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA

I am employed in the County of Santa Barbara, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 200 East Carrillo Street, Fourth Floor, Santa Barbara, California 93101.

On May 14, 2025, I served the foregoing document described as **NOTICE OF ENTRY OF ORDER** on all interested parties in this action by placing the original and/or true copy.

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

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

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

Executed on May 14, 2025, at Santa Barbara, California.

Signature
Elizabeth Wright

SHORT TITLE:	CASE NUMBER:
Antelope Valley Groundwater Cases	B348133

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.)

SHORT TITLE:	CASE NUMBER:
Antelope Valley Groundwater Cases	B348133

ATTACHMENT *(Number):* 2b

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

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

SHORT TITLE:	CASE NUMBER:
Antelope Valley Groundwater Cases	B348133

ATTACHMENT *(Number):* 6

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

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

PROOF OF SERVICE

Coordination Proceeding, Special Title (Rule 1559 (b)),
(Antelope Valley Groundwater Cases)
Judicial Counil Coordination Proceeding No. 4408
Los Angeles Superior Court Case No. BC325201
Court of Appeal Case No.: B348133

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.

On **October 3, 2025**, I served the foregoing document(s) described as: **APPELLANT'S PROPOSED SETTLED STATEMENT** on the interested parties as follows:

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

☒ **BY ELECTRONIC SERVICE: (C.R.C. 2.251)(CCP §1010.6):** I electronically served the documents listed above on the interested parties and/or the attorneys to the electronic addresses listed on the attached Service List. The transmission was reported as complete and without error. My electronic service address is: *ayoung@jacksontidus.law*

☐ **BY MAIL:** I caused such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Irvine, California. I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, it would be deposited with the United States Postal Service on that same day with postage thereon fully prepaid at Irvine, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY FACSIMILE:** I caused said document(s) to be transmitted to a facsimile machine maintained by the office of the addressee(s) at the facsimile machine number(s) indicated. Said facsimile number(s) are the most recent numbers appearing on documents filed and served by the addressee(s). I received electronic confirmation from the facsimile machine that said document was successfully transmitted without error. A copy of said electronic confirmation is maintained in this office.

☐ **BY OVERNIGHT DELIVERY:** I am readily familiar with the firm's practice for the collection and processing of correspondence for overnight delivery and know that the document(s) described herein will be deposited in a box or other facility regularly maintained by the overnight delivery carrier.

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

Executed on **October 3, 2025,** at Irvine, California.

/s/ Ashley Young
Ashley Young

SERVICE LIST

Craig A. Parton, Esq. Cameron Goodman, Esqa. Jeff F. Tehakarov, Esq. PRICE, POSTEL & PARMA 200 East Carrillo Street, 4th 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
Antelope Valley Watermaster c/o Glotrans 2915 McClure Steet Oakland, CA 94609	Service List maintained by Antelope Valley Watermaster Documents electronically uploaded and served through the Antelope Valley Watermaster's website: www.avwatermaster.org