

1 William J. Brunick, Esq. (State Bar No.46289)
2 Leland P. McElhaney, Esq. (State Bar No. 39257)

NO FEE PER GOVT. CODE SEC. 6103

3 **BRUNICK, McELHANEY, BECKETT, DOLEN & KENNEDY PLC**

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

APR 23 2011

A. Sanchez

9 Attorneys for Defendant/Cross-Complainant
10 **MOJAVE WATER AGENCY**

11
12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **IN AND FOR THE COUNTY OF RIVERSIDE**

14 CITY OF BARSTOW, et al.

15 Plaintiff,

16 vs.

17 CITY OF ADELANTO, et al.,

18 Defendant.

CASE NO.: CIV 208568

**NOTICE OF MOTION AND MOTION TO
ADJUST FREE PRODUCTION
ALLOWANCE FOR WATER YEAR 2011-
2012; MEMORANDUM OF POINTS AND
AUTHORITIES AND DECLARATION OF
ROBERT C. WAGNER IN SUPPORT
THEREOF**

Assigned for All Purposes to:
Dept. 1

DATE: 6-21-11
TIME: 8:30 a.m.
DEPT: 12

19 AND RELATED CROSS-ACTIONS

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24 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

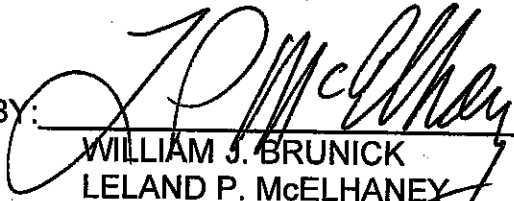
25 Please take notice that on 6/21/, 2011 at 8:30 a.m., or as soon
26 thereafter as counsel may be heard, in Department 12 of the above entitled court located at
27

1 4050 Main Street, Riverside, California, Defendant/Cross-Complainant, Mojave Water
2 Agency, acting in its capacity as the Mojave Basin Area Watermaster, will respectfully move,
3 pursuant to paragraph 24(o) and Exhibit H of the Judgment in the above entitled case, for the
4 court's approval of the Watermaster's recommendation in its 17th Annual Report to adjust the
5 Free Production Allowance (FPA) for each of the five (5) subareas (Alto, Baja, Centro, Este
6 and Oeste) of the Mojave Basin as set forth herein for the 2011-12 Water Year.

7 This motion is based upon this notice, the Memorandum of Points and Authorities, the
8 17th Annual Report of the Watermaster lodged with the court concurrently with this motion, the
9 Declaration of Robert C. Wagner, the pleadings, papers and records on file and upon such
10 other further evidence, both oral and documentary, that may be presented at the hearing on
11 this motion.

12 Dated: April 28, 2011

**BRUNICK, McELHANEY, BECKETT, DOLEN &
KENNEDY PLC**

13
14
15 BY: 
16 WILLIAM J. BRUNICK
17 LELAND P. McELHANEY
18 Attorneys for Defendant/Cross-Complainant,
19 MOJAVE WATER AGENCY
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **BACKGROUND**

4 The original complaint was filed by the City of Barstow et al. on May 30, 1990 and
5 alleged that the cumulative water production upstream of the City of Barstow had over drafted
6 the Mojave River System and it requested that the Mojave Water Agency (MWA) be ordered
7 to obtain and provide supplemental water for use within the Mojave Basin Area (Basin). MWA
8 filed its First Amended Cross-Complaint naming substantially all producers of water within the
9 Basin, including parties downstream of the City of Barstow, and requested a determination of
10 all of the water production from whatever source within the Basin.

11 After extensive negotiations, parties representing over 80% of the verified water
12 production in the Basin agreed to a stipulated Judgment which established a physical solution
13 to the water supply problems. A trial of the claims of non-stipulating parties was held and the
14 final Judgment after trial adopted the physical solution set forth in the stipulated Judgment.

15 The Cardozo Group of the non-stipulating parties appealed the Judgment that was
16 entered by the Superior Court. Following opinions by the Court of Appeal and Supreme Court,
17 the Judgment as to the stipulating parties was affirmed but reversed as to the Cardozo Group
18 of non-stipulating parties. This essentially excluded the Cardozo Group from the stipulated
19 Judgment, including the assessment provisions. As of August 23, 2002, Jess Ranch Water
20 Co. (JRWC), previously a non-stipulating party, entered into a settlement agreement in which
21 it stipulated to the Judgment. An amendment to the Judgment was filed on December 5, 2002
22 which incorporated the changes with respect to the Cardozo Group and JRWC.

23 **II.**

24 **THE JUDGMENT'S PHYSICAL SOLUTION**

25 On January 10, 1996 the court entered a Judgment which addressed the overdraft
26 situation existing in the Basin by the creation of a physical solution for the Basin's five distinct,
27

1 but hydrologically interrelated, Subareas (Alto, Baja, Centro, Este, and Oeste). The court
2 determined that all five Subareas of the Basin had been in a state of overdraft since at least
3 the 1950's, that the economy and population overlying the Basin had dramatically grown in
4 reliance upon the overdraft, and that all producers had contributed to the overdraft. The
5 court's physical solution established a limit on the amount of water each Subarea could
6 produce in one year before having to purchase replacement water. This is known as the Free
7 Production Allowance (FPA). The Judgment also established each producer's Base Annual
8 Production (BAP). A producer's BAP is based upon that producer's highest year of water
9 production during the base period of 1986-1990. A producer's BAP serves as the basis for the
10 producer's Base Annual Production Right (BAPR). BAPR is the right of each producer to a
11 percentage of the FPA within a given Subarea.

12 Although the serious nature of the overdraft warranted an immediate reduction for all
13 water production within the Basin, the Court approved a gradual reduction in production in
14 order to soften the economic impact upon producers. Therefore, the Judgment sets forth the
15 terms for a gradual reduction or Rampdown of the FPA for all parties. After the first five years
16 of the Judgment, the FPA for all parties was set at eighty percent (80%) of their original BAP.
17 The Judgment also provides that the court can review and adjust, as necessary, the FPA for
18 each Subarea on an annual basis.

19 MWA was appointed as the initial Watermaster by the court to administer the
20 Judgment and physical solution set forth therein.

21 III.

22 NECESSITY FOR ADJUSTMENT

23 Pursuant to the gradual Rampdown required in the Judgment, by the 1997-98 Water
24 Year, each producer's FPA was set at eighty percent (80%) of that producer's BAP specified
25 by the Judgment. Exhibit H of the Judgment requires Watermaster to recommend a decrease
26 in the FPA for a Subarea when that Subarea's FPA exceeds its estimated Production Safe
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1 Yield (PSY) by five percent (5%) or more. Pursuant to paragraph 24(o) of the Judgment, the
 2 Watermaster is required to make a recommendation to the Court for adjusting the FPA of each
 3 Subarea, if necessary. The Watermaster retained the Engineering firm of Albert A. Webb
 4 Associates (Webb), to conduct a consumptive water use study for the purpose of updating the
 5 elements of Table C-1 of the Judgment. The Webb study was presented to the Watermaster in
 6 February 2000 and provided the basis for the Watermaster's proposed adjustments for the
 7 2000-01, 2001-02, 2002-03, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10
 8 and 2010-11 Water Years. Pursuant to Exhibit H of the Judgment, the Watermaster has filed
 9 its motions to adjust the FPA for prior Water Years and also provided certain alternatives to
 10 Rampdown at the court's request. On July 15, 2010, the court entered its order granting the
 11 Watermaster's Motion to Adjust FPA for Water Year 2010-11 (attached as Exhibit A). As a
 12 result, FPA for Water Year 2010-11 was set as follows:

13	<u>Subarea</u>	<u>2010-11 FPA</u>
14	Alto - Agricultural	80% of BAP
15	Alto - Municipal and Industrial	60% of BAP
16	Centro	80% of BAP
17	Este ¹	80% of BAP
18	Oeste - Agriculture	80% of BAP
19	Oeste - Municipal and Industrial ²	70% of BAP
20	Baja	65% of BAP

- 21 1. FPA to be set at 80% of Base Annual Production for the 2010-11
 22 Water Year. The Este Subarea may be subject to future Rampdown
 to 65% immediately if water use conditions change.
- 23 2. FPA to be set at 70% of Base Annual Production for the 2010-11
 24 Water Year subject to continued Rampdown. Implementation will be
 25 held in abeyance for 4 years (starting in the 2009-10 Water Year) at
 26 80%.

26 The table on page 30, Ch. 5 of the 17th Annual Report of the Mojave Basin Area
 27 Watermaster shows the BAP, the FPA for 2010-11, the estimated PSY, the difference

1 between them as a percentage of BAP as well as the 2009-10 Verified Production from each
2 Subarea. FPA is greater than PSY by more than 5% of BAP in each of the Subareas except
3 for Alto.

4 IV.

5 **RECOMMENDED ADJUSTMENTS TO FPA FOR WATER YEAR 2011-12**

6 The Watermaster conducted public hearings on March 23, 2011 and April 8, 2011 and
7 adopted the FPA recommendations for the five Subareas for Water Year 2011-12, as
8 required by the Judgment and consistent with previous direction from the court as follows:

9 <u>Subarea</u>	<u>2011-12 FPA Recommendation</u>
10 Alto - Agriculture	80% of BAP
11 Alto - Municipal & Industrial	60% of BAP
12 Centro	80% of BAP
13 Este ¹	80% of BAP
14 Oeste - Agriculture	80% of BAP
15 Oeste - Municipal & Industrial ²	65% of BAP
16 Baja	62.5% of BAP

- 17 1. FPA to be set at 80% of Base Annual Production for the 2011-12
18 Water Year. The Este Subarea may be subject to future Rampdown to
19 65% immediately if water use conditions change.
- 20 2. FPA to be set at 65% of Base Annual Production for the 2011-12
21 Water Year subject to continued Rampdown. Implementation will be
22 held in abeyance for 4 years (starting in the 2009-10 Water Year) at
23 80%.

24 The recommended FPA for Alto, Centro, and Este remains unchanged from the FPA
25 ordered by the Court for Water Year 2010-11. In Oeste, Watermaster is recommending FPA
26 be set at 65% of BAP for M&I, but that implementation be held in abeyance consistent with
27 the court's previous order. Oeste producers can produce water at 80% of BAP for the next
28 water year. The FPA for Baja is recommended to be set at 62.5% based on the discussion
below.

1 CSD's (PPHCSD) pumping immediately adjacent to San Bernardino County but from a well in
2 Los Angeles County could be impacting the water supply to Oeste. Water levels in two wells
3 (05N08W25H01 and 13R01) which are about 2 miles north of the PPHCSD's Los Angeles
4 County production well, are falling, 05N08W25H01 has declined about 30 feet and
5 05N08W13R01 has declined about 30 feet since 1950. Water levels in a production well
6 (05N07W24D03) located near Sheep Creek road and Highway 18 have declined about 40 feet
7 since 1980. Verified water production exceeds PSY by 23.4%. PPHCSD pumped about 1,103
8 acre-feet from its Los Angeles County well in 2009-10. This amount was about equal to the
9 pumping reduction reported by PPHCSD. The reduction is therefore not necessarily a
10 reduction in pumping burden on the Oeste water supply. It is our intent to resolve the issue of
11 inclusion of Well #14 including source of supply and assessments due to Watermaster,
12 resulting from pumping well #14, cooperatively with PPHCSD prior to October 1, 2011.

13 For Water Year 2009-10 the Court adopted Watermaster's recommendation, as
14 requested by PPHCSD, to reduce FPA for M&I producers, 5% per year for 4 years but stay
15 implementation. It is recommend that Oeste FPA be set at 65% of BAP for M&I and 80% for
16 Agriculture for 2011-12 and a continuation of the stay allowing M&I to produce water at 80% of
17 BAP.

18 **Baja Subarea:**

19 Pursuant to the Judgment additional Rampdown in Baja is warranted. Free Production
20 Allowance exceeds the PSY and current water production and consumptive use exceeds the
21 average net long-term supply in Baja water levels in Baja continue to fall indicating continued
22 overdraft (see Exhibit B, Wagner Declaration, Paragraph 6). Water level data compiled by the
23 United States Geologic Survey, MWA and Watermaster confirm water levels have declined.
24 Water level data in the form of hydrographs depicting changes over time were presented to
25 Watermaster and subject to public inspection at the Watermaster meeting and hearing on
26 Rampdown March 23, 2011 and on April 8, 2011. The same information is presented in the
27

1 Watermaster's Annual Report to the Court on Figure 3-13. The data and hydrographs are also
2 available for review on the Mojave Water Agency's website as reported on page 23 of the
3 Annual Report (see Wagner Declaration, Paragraph 6, and Exhibit 2 thereto).

4 Water production in Baja during 2009-10 declined from 2008-09 by 5,498 acre-feet.
5 Water production has declined by 20.3% in the past year and 35.8% in the past three years.
6 The decline in water production is an important consideration for evaluating the risk associated
7 with future water supply conditions. However it should be noted that under the terms of the
8 Judgment water production is not constrained in any one year. By using carryover, Baja
9 producers could increase pumping next year, or the years following. The best evidence of
10 continuing overdraft is indicated by declining water levels; water levels in Baja continue to
11 decline. Water level hydrographs are shown on Exhibit 2 of Mr. Wagner's declaration and
12 referenced in the Watermaster's Annual Report. Declining water levels are the primary reason
13 to continue Rampdown pursuant to the 2010 court order.

14 Last year, after consideration of information provided by Watermaster, DFG and Baja
15 producers, the Court imposed a 2.5% per year Rampdown commencing in 2010-11 and
16 continuing for the next four years. Water Year 2011-12 would be the second year of
17 Rampdown at 2.5%.

18 In February 2011, Watermaster directed staff to circulate a recommendation that FPA in
19 Baja be set at 65% of BAP. Watermaster carefully considered the engineer's recommendation
20 and the fact that water production in Baja had been reduced significantly (20.3%) from last
21 year. Watermaster received comments on its recommendation at public hearings on March 23,
22 2011 and April 8, 2011. Based on information provided to Watermaster by staff, Baja
23 producers and DFG, Watermaster supported staff's recommendation of 62.5% as indicated in
24 the 2010 court order. It is recommended that FPA in Baja be set at 62.5% and reduced 2.5%
25 per year for the next 3 years.

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1 Watermaster received and considered correspondence from the Baja Subarea Advisory
2 Committee, California Department of Fish and Game and minimal producers in Baja. The
3 comments received by Watermaster are attached as Exhibit C.

4 V.

5 **CONCLUSION**

6 Based upon the foregoing and the Declaration of Robert C. Wagner, filed concurrently
7 herewith, and the court's prior rulings, Watermaster requests that the Court grant this motion
8 and (1) implement the recommended FPA for the Alto, Centro, Este and Oeste Subareas, (2)
9 set FPA in Baja at 62.5% of BAP for 2011-12 and reduce FPA in Baja 2.5% per year for the
10 next three years through 2014-15.

11 Dated: April 28, 2011

**BRUNICK, McELHANEY, BECKETT, DOLEN &
KENNEDY PLC**

12
13
14 BY: _____

WILLIAM J. BRUNICK

LELAND P. McELHANEY

Attorneys for Defendant/Cross-Complainant,
MOJAVE WATER AGENCY

***Motion to Adjust Free Production Allowance
for Water Year 2011-2012***

EXHIBIT "A"

*EXEMPT FROM FILING FEES
PER GOV'T. CODE § 6103*

1 William J. Brunick (State Bar No.46289)
2 Steven K. Beckett (State Bar No. 97413)
3 **BRUNICK, McELHANEY & BECKETT**
4 1839 Commercenter West
San Bernardino, CA 92408
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Facsimile: (909) 388-1889

5 Attorneys for Defendant/Cross-Complainant
6 **MOJAVE WATER AGENCY**

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUL 16 2010

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **IN AND FOR THE COUNTY OF RIVERSIDE**

9
10
11 **CITY OF BARSTOW, et al.**
12 **Plaintiffs,**

13 vs.

14 **CITY OF ADELANTO, et al.,**
15 **Defendants**

CASE NO. CIV 208568

~~PROPOSED~~
**ORDER GRANTING MOTION TO
ADJUST FREE PRODUCTION
ALLOWANCE FOR WATER YEAR
2010-2011**

Assigned for All Purposes to:
Hon. Gloria Connor Trask
Dept. 1

16
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18 **AND RELATED CROSS ACTIONS**
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21 The above-entitled action came on regularly for hearing on June 23, 2010, before the
22 Honorable Gloria Conner Trask, Judge presiding, on the motion of defendant/cross-complainant,
23 **MOJAVE WATER AGENCY**, acting in its capacity as Watermaster, pursuant to the Judgment
24 entered January 10, 1996, Paragraph 24(o), seeking an adjustment in Free Production
25 Allowance. William J. Brunick, Brunick, McElhaney & Beckett appeared on behalf of the
26 Mojave Water Agency. Marilyn H. Levin, Deputy Attorney General, Office of the Attorney
27 General for the State of California, appeared on behalf of the Department of Fish and Game. The
28 court having reviewed and considered the moving and opposing papers, and the arguments of

**ORDER GRANTING MOTION TO ADJUST FREE PRODUCTION ALLOWANCE
FOR WATER YEAR 2010-2011**

1 counsel, and good cause appearing, hereby GRANTS the motion on the following terms as to
2 the Subareas defined in the Judgment of January 10, 1996 for the Water Year 2010-11:

3 **ALTO SUBAREA**

4 1. Free Production Allowance (FPA) shall remain at 60% of Base Annual Production
5 (BAP) for Municipal and Industrial (M&I) producers.

6 2. FPA shall remain at 80% of BAP for Agricultural producers, i.e., those who
7 produce water for the irrigation of crops, or as otherwise determined by Watermaster.

8 **BAJA SUBAREA**

9 Rampdown shall occur reducing FPA from 67.5% to 65% of BAP for both M&I and
10 Agricultural producers for 2010-11 and reduce FPA in Baja 2.5% per year for the next four (4)
11 years through 2014-15. Watermaster will report to the court annually on hydrologic conditions
12 as required by the Judgment.

13 **CENTRO SUBAREA**

14 FPA shall remain at 80% of BAP for both M&I and Agricultural producers.

15 **ESTE SUBAREA**

16 Rampdown is deferred and FPA shall continue to remain at 80% of BAP for both M&I
17 and Agricultural producers. However, deferred rampdown could be implemented upon further
18 order of the court following Watermaster's request and motion seeking court approval which
19 could result in FPA being reduced to the level required by the Judgment at the time the motion
20 is made.

21 **OESTE SUBAREA**

22 1. FPA shall remain at 80% of BAP for Agricultural producers.

23 2. Rampdown shall occur reducing FPA from 75% to 70% of BAP for M&I
24 producers. However, implementation of the current and any future rampdown is stayed for a
25 period of four (4) years (starting in 2009-10) with Agricultural and M&I producers being
26 allowed to produce water at 80% of BAP during the period that implementation of rampdown
27 is stayed subject to further order of the court following further hearings.

28 ≡

IT IS SO ORDERED.

Date: JUL 15 2010, 2010

Gloria Connor Trask

Gloria Connor Trask,
Judge of the Superior Court

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**ORDER GRANTING MOTION TO ADJUST FREE PRODUCTION ALLOWANCE
FOR WATER YEAR 2010-2011**

***Motion to Adjust Free Production Allowance
for Water Year 2011-2012***

EXHIBIT "B"

1 William J. Brunick, Esq. (Bar No. 46289) *Exempt from filing fees Per Govt. Code § 6103*
2 Leland P. McElhaney, Esq. (Bar No. 39257)
3 **BRUNICK, McELHANEY, BECKETT, DOLEN & KENNEDY PLC**
4 1839 Commercenter West, P.O. Box 6425
5 San Bernardino, California 92412-6425
6 Telephone: (909) 889-8301
7 Facsimile: (909) 388-1889

8 Attorneys for Cross-Complainant
9 MOJAVE WATER AGENCY

10
11
12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **IN AND FOR THE COUNTY OF RIVERSIDE**

14 CITY OF BARSTOW, et al.,

15 Plaintiff,

16 vs.

17 CITY OF ADELANTO, et al.,

18 Defendant,

CASE NO. CIV 208568

**DECLARATION OF
ROBERT C. WAGNER, P.E. IN
SUPPORT OF MOTION TO ADJUST
FREE PRODUCTION ALLOWANCE
FOR WATER YEAR 2011-2012**

Assigned for All Purposes to:
Dept. 1

DATE:
TIME: 8:30 a.m.
DEPT: 1

19
20 **AND RELATED CROSS ACTIONS**
21

22
23
24 I, Robert C. Wagner, declare as follows:

25 1. I am a licensed Civil Engineer in the State of California and President of the firm
26 of Wagner and Bonsignore, Consulting Civil Engineers in Sacramento, California. A copy of
27 my professional resume and list of sources used in support of this declaration is attached as
Exhibit 1. I serve in the capacity of Engineer for the Mojave Basin Area Watermaster. I am

1 providing the following information in support of Watermaster's recommendations regarding
2 Free Production Allowance (FPA) and to address other matters related to water supply use
3 and disposal within the five subareas. I incorporate by reference, as though fully set forth
4 herein, my declarations and all attachments thereto that were filed with the court in this action
5 in support of the prior Motions to Adjust FPA.

6 2. In my capacity as Engineer for the Mojave Basin Area Watermaster, I have
7 reviewed the Motion to Adjust FPA for Water Year 2011-12 and the Watermaster's 17th
8 Annual Report. Each of the facts set forth in the Motion to Adjust FPA for Water Year 2011-
9 12 are true and correct to the best of my knowledge and I could competently testify thereto.

10 3. I have reviewed the recommended adjustments to FPA for Water Year 2011-12
11 set forth in the pending motion and each of the recommendations set forth therein for each of
12 the Subareas are consistent with my opinions and recommendations as conveyed to the
13 Watermaster. A discussion of FPA for each Subarea is included in Chapter 5 commencing on
14 page 30 of the 17th Annual Report.

15 4. Watermaster is recommending that FPA remain unchanged in the Alto, Centro,
16 and Este Subareas. Alto's FPA is about equal to the Production Safe Yield (PSY) and Alto
17 producers are incurring replacement water obligations about equal to the annual deficit
18 suggesting the water supply and demand are roughly in balance. Water levels in Este
19 indicate stability. Centro water production is less than the estimated PSY. Additional
20 Rampdown in Alto, Cento, and Este is not required at this time.

21 5. Pursuant to the Judgment additional Rampdown in Baja is warranted. Free
22 Production Allowance exceeds the PSY and current water production and consumptive use
23 exceeds the average net long-term supply in Baja. Water levels in Baja continue to fall
24 indicating continued overdraft. Water level data compiled by the United States Geologic
25 Survey, MWA and Watermaster confirm water levels have declined. Water level data in the
26 form of hydrographs depicting changes over time were presented to Watermaster and subject
27 to public inspection at the Watermaster meeting and hearing on Rampdown March 23, 2011

1 and on April 8, 2011. The same information is presented in the Watermaster's Annual Report
2 to the Court on Figure 3-13. The data and hydrographs are also available for review on the
3 Mojave Water Agency's website as reported on page 23 of the Annual Report.

4 6. Water production in Baja during 2009-10 declined from 2008-09 by 5,498 acre-
5 feet. Water production has declined by 20.3% in the past year and 35.8% in the past three
6 years. The decline in water production is an important consideration for evaluating the risk
7 associated with future water supply conditions. However it should be noted that under the
8 terms of the Judgment water production is not constrained in any one year. By using
9 carryover, Baja producers could increase pumping next year, or the years following. The
10 best evidence of continuing overdraft is indicated by declining water levels; water levels in
11 Baja continue to decline. Water level hydrographs are shown on Exhibit 2 and referenced in
12 the Watermaster's Annual Report. The declining water levels are the primary reason I
13 recommend continued Rampdown pursuant to the 2010 court order.

14 7. Last year, after consideration of information provided by Watermaster, DFG and
15 Baja producers, the Court imposed a 2.5% per year Rampdown commencing in 2010-11 and
16 continuing for the next four years. Water Year 2011-12 would be the second year of
17 Rampdown at 2.5%.

18 8. In February 2011, Watermaster directed staff to circulate a recommendation
19 that FPA in Baja be set at 65% of BAP. Watermaster carefully considered my
20 recommendation and the fact that water production in Baja had been reduced significantly
21 (20.3%) from last year. Watermaster received comments on its recommendation at public
22 hearings on March 23, 2011 and April 8, 2011. Based on information provided to
23 Watermaster by staff, Baja producers and DFG, Watermaster supported staff's
24 recommendation of 62.5% as indicated in the 2010 court order.

25 9. It is recommended that FPA in Baja be set at 62.5% and reduced 2.5% per year
26 for the next 3 years.

1 10. A review of available water level data in Oeste indicates an overall downward
2 trend in water levels, particularly in areas near municipal pumping. Last year water production
3 in Oeste declined 14.5% from 2008-09. FPA exceeds PSY by more than 5% of BAP. Phelan
4 Piñon Hills CSD's (PPHCSD) pumping immediately adjacent to San Bernardino County but
5 from a well in Los Angeles County could be impacting the water supply to Oeste. Water
6 levels in two wells (05N08W25H01 and 13R01) which are about 2 miles north of the
7 PPHCSD's Los Angeles County production well, are falling, 05N08W25H01 has declined
8 about 30 feet and 05N08W13R01 has declined about 30 feet since 1950. Water levels in a
9 production well (05N07W24D03) located near Sheep Creek road and Highway 18 have
10 declined about 40 feet since 1980. Verified water production exceeds PSY by 23.4%.
11 PPHCSD pumped about 1,103 acre-feet from its Los Angeles County well in 2009-10. This
12 amount was about equal to the pumping reduction reported by PPHCSD. The reduction is
13 therefore not necessarily a reduction in pumping burden on the Oeste water supply. It is our
14 intent to resolve the issue of inclusion of Well #14 including source of supply and
15 assessments due to Watermaster, resulting from pumping well #14, cooperatively with
16 PPHCSD prior to October 1, 2011.

17 For Water Year 2009-10 the Court adopted Watermaster's recommendation, as
18 requested by PPHCSD, to reduce FPA for M&I producers, 5% per year for 4 years but stay
19 implementation. It is recommend that Oeste FPA be set at 65% of BAP for M&I and 80% for
20 Agriculture for 2011-12 and a continuation of the stay allowing M&I to produce water at 80%
21 of BAP.

22 12. The recommendation for FPA for Water Year 2011-12 as follows.

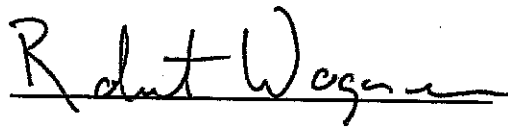
<u>Subarea</u>	<u>2011-12 FPA Recommendation</u>
Alto - Agriculture	80% of BAP
Alto - Municipal & Industrial	60% of BAP
Centro	80% of BAP
Este ¹	80% of BAP

1 Oeste - Agriculture 80% of BAP
2 Oeste - Municipal & Industrial² 65% of BAP
3 Baja 62.5% of BAP

- 4 1. FPA to be set at 80% of Base Annual Production for the 2011-12
5 Water Year. The Este Subarea may be subject to future Rampdown to
6 65% immediately if water use conditions change.
7 2. FPA to be set at 65% of Base Annual Production for the 2011-12
8 Water Year subject to continued Rampdown. Implementation will be
9 held in abeyance for 4 years (starting in the 2009-10 Water Year) at
10 80%.

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

13 Dated: April 28, 2011

14 
15 Robert C. Wagner, P.E.

Wagner Declaration
EXHIBIT 1

Wagner & Bonsignore

Consulting Civil Engineers, A Corporation

Nicholas F. Bonsignore, P.E.
Robert C. Wagner, P.E.
Paula J. Whealen
Henry S. Matsunaga

Brad E. Newton, Ph.D., P.G.
David Houston, P.E.
David P. Lounsbury, P.E.
Vincent Maples, P.E.
Emily MacDonald
Ryan E. Stolfus

James C. Hanson
Consulting Civil Engineer
A Corporation

ROBERT C. WAGNER PROFESSIONAL RESUME

REGISTRATION:

Civil Engineer, California (License No. 52903)
Civil Engineer, Nevada (License No. 021017)

EDUCATION:

B.S. Civil Engineering - California State University, Sacramento, CA - 1988

EXPERIENCE:

Mr. Wagner is the president of Wagner & Bonsignore Engineers and is a Registered Civil Engineer in California and Nevada, with 23 years experience in water resources management, water right analysis, surface and groundwater water hydrology and land use evaluations for municipal and agricultural projects. Mr. Wagner has been the court appointed Mojave Watermaster for over 17 years and has provided expert witness testimony on various matters related to water resources and water rights in court and before the State Water Resources Control Board. Mr. Wagner has demonstrated expertise in areas of consumptive use analysis, watershed hydrology, facility design for storm water capture and analysis of return flow to support water transfers, administration of court ordered judgments and water supply sustainability.

Mr. Wagner serves a wide variety of private and public clients throughout California, managing projects from concept to implementation. Mr. Wagner's work includes pre-1914 appropriative water right investigation, analysis of riparian and overlying water rights and appropriative rights administered by the State Water Resources Control Board.

Mr. Wagner has demonstrated communication skills to work with a wide range of legal and technical professional and stakeholder groups. He has strong organizational and analytical skills and a recognized ability to provide cost effective solutions to difficult water resource problems.

2151 River Plaza Drive • Suite 100 • Sacramento, CA 95833-4133
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RECENT EXPERIENCE INCLUDES THE FOLLOWING:

- ◆ **Engineering Services, Chino Basin Water Conservation District, San Bernardino County:** Analysis of new stormwater facilities, analysis and improvements of existing stormwater facilities and analysis of changes in hydrology in connection with recharge and water supply.
- ◆ **Watermaster Engineer, Orange County Water District:** Perform analysis of hydrologic and water quality data for the Santa Ana River Watershed for Water Year 2009-10; distinguish storm flow and base flow at Prado Dam and at Riverside Narrows, preparation of portions of the Watermaster's annual report to the Court.
- ◆ **Engineering Services, Lake Alpine Water Company, Alpine County:** In connection with the State Water Resources Control Board water right hearing and hydrology of South Fork Stanislaus River for State Filed Application 5648.
- ◆ **Engineering Services, Natomas Mutual Water Company:** Land use analysis for 51,000 acres of consumptive use and land use in connection with water rights and water transfers.
- ◆ **Engineering Services, City of Sacramento:** In connection with the Water Resources of the American River.
- ◆ **Engineering Services, City of Ukiah:** in connection with water rights and hydrology of the Russian River, Mendocino County.
- ◆ **Engineering Services, Sonoma County Water Agency:** In connection with development of agricultural reuse project for use of treated wastewater for vineyard irrigation.
- ◆ **Engineering Services, Dry Creek Valley, Sonoma County:** In connection with analysis of water production and hydrologic data for development of water use agreements for over 100 growers in the Dry Creek Valley.
- ◆ **Engineering Services, City of Santa Maria:** In connection with the hydrologic resources of the Santa Maria Groundwater Basin.
- ◆ **Engineering Expert, San Bernardino County:** Expert witness in the matter of Bonadiman v. Evans in San Bernardino Superior Court on behalf of prevailing party Evans. Research and documentation of water development and water right acquisition dating to 1883.

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- ◆ **Engineering Services, The Wildlands Conservancy:** In connection with water resource matters for extensive land holdings in San Bernardino and Kern Counties.
- ◆ **Engineering Services, Wells Fargo Bank:** In connection with the analysis of water rights and water availability on the Kern River.
- ◆ **Watermaster Engineer, Mojave Basin Area Watermaster:** In the matter of the Mojave River Adjudication, City of Barstow, et al, vs. City of Adelanto, et al. Collection and analysis of data for preparation of Annual Watermaster Report, including groundwater production and hydrology studies of the Mojave River System and groundwater basin in connection with storm flow base flow separation determination and the analysis of water transfers and land use changes. Preparation of Annual Watermaster report.
- ◆ **Engineering Services, Mojave Water Agency:** In connection with Mojave Basin Area Adjudication. Coordinate activities for professional and subprofessional staff for collection, analysis and verification of water production records for approximately 7,000 wells in the Mojave River Basin. Participate in meetings of the Joint Engineer-Attorney Drafting Committee formed to negotiate and draft the Stipulated Judgment. Participation in the drafting and ongoing revisions of the Watermaster Rules and Regulations.
- ◆ **Engineering Services, Warren Valley Basin, San Bernardino County:** In connection with engineering services for the Warren Valley Basin Watermaster. Analysis of groundwater production records and basin hydrology for preparation of Annual Watermaster Report.
- ◆ **Engineering Services, East Valley Water District, San Bernardino County:** Analysis of surface and subsurface hydrology of the Santa Ana River and the availability of water for the Seven Oaks Dam Project and fully appropriated listing of the Santa Ana River.
- ◆ **Engineering Services, Kirkwood Associates:** Worked with the State Water Resources Control Board in the matter of South Fork American River Hearings, October 1995. Analysis of the South Fork American River and Caples Creek hydrology in connection with same.
- ◆ **Engineering Services, High Desert Water District, San Bernardino County:** Analysis of water quality and ground water elevation data for monitoring the potential impacts of ground water extractions from the Ames Valley Basin.
- ◆ **Engineering Services, Hidden Valley Lake Community Services District, Lake County:** Hydrologic analysis of Upper Putah Creek Watershed and the Coyote Valley groundwater basin in support of amendments to fully appropriated stream status and applications to appropriate surface and subsurface water from Putah Creek; continued monitoring of the Coyote Valley groundwater basin in connection with administration of water rights.

Wagner Bonsignore
Consulting Civil Engineers, A Corporation

CONTINUING EDUCATION

"California Environmental Quality Act Update", University of California, Davis - February 1992

"California Water Law", University of California, Davis - November 1989 to January 1990

"Understanding Wetlands and 404 Permitting", ASCE July 1997

"Fundamentals of Water Rights and Colorado River Issues", University of Nevada, Las Vegas January 1998

"Fundamentals of Groundwater Hydrology", UC Berkeley Extension, July 2002

Bibliography

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- Statement of Amended Decision, City of Barstow, et al. vs. City of Adelanto, et al., Riverside County Superior Court Case No. 208568, January 1996
- Mojave Basin Area Watermaster, Annual Report, Water Years 1993-94 Through 2009-10
- Mojave River Groundwater Basins Investigation, California Department of Water Resources, Bulletin 84, August 1967
- Water Production Verification Program, Edward Fitzgerald Dibble, Consulting Engineer, June 1967; 1973
- Annual Engineer's Report on Water Supply, Mojave Water Agency, Water Years 1994-95 Through 1998-99
- Annual Groundwater Level Monitoring Program for 1998, 1999 and 2002, Mojave Water Agency
- Consumptive Water Use Study and Update of Production Safe Yield Calculations for the Mojave River Basin, Albert A. Webb Associates, February 2000
- Groundwater and Surface Water Relations Along the Mojave River, Southern California, United States Geological Survey, Water Resources Investigations Report 95-4189 (1996)
- Riparian Vegetation and Its Water Use During 1995 Along the Mojave River, Southern California, United States Geological Survey, Water Resources Investigations Report 96-4241 (1996)
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- Regional Water Table (1996) and Water Level Changes in the Mojave River, the Morongo, and the Fort Irwin Groundwater Basins, San Bernardino County, California, United States Geological Survey, Water Resources Investigations Report 97-4160 (1997)
- Regional Water Table (1998) and Groundwater Level Changes in the Mojave River and the Morongo Groundwater Basins, San Bernardino County, California, United States Geological Survey, Water Resources Investigations Report 00-4090 (2000)
- Regional Water Table (2000) and Groundwater Level Changes in the Mojave River and the Morongo Groundwater Basins, Southwestern Mojave Desert, California, United States Geological Survey, Water Resources Investigations Report 02-4277 (2002)
- Regional Water Table (2004) and Water Level Changes in the Mojave River and the Morongo Groundwater Basins, Southwestern Mojave Desert, California, United States Geological Survey, Scientific Investigations Report 2004-5187 (2004)
- Regional Water Table (2006) and Groundwater Level Changes in the Mojave River and the Morongo Groundwater Basins, Southwestern Mojave Desert, California, United States Geological Survey, Scientific Investigations Report 2007-5097 (2007) and version 2.0, 2008 Regional Water Level Study
- Health of Native Riparian Vegetation and It's Relation to Hydrologic Conditions Along the Mojave River, Southern California, United States Geological Survey, Water Resources Investigations Report 99-4112 (1999)
- Hydrologic Analysis of Mojave River Basin California Using Electric Analog Model, United States Geological Survey, Open File Report (1971)
- Simulation of Ground-Water Flow in the Mojave River Basin, California, United States Geological Survey, Water Resources Investigations Report 01-4002, (2001)

- Water Supply in the Mojave River Ground-Water Basin, 1931-99, and the Benefits of Artificial Recharge, United States Geological Survey, USGS Fact Sheet 122-01, (2001)
- Geologic Setting, Geohydrology, and Ground-Water Quality near the Helendale Fault in the Mojave River Basin, San Bernardino County, California, United States Geological Survey, Water Resources Investigations Report 03-4069, (2003)
- Source and Movement of Ground Water in the Western Part of the Mojave Desert, Southern California, USA, United States Geological Survey, Water Resources Investigations Report 03-4313, (2003)
- Regional Water Management Plan, Mojave Water Agency, June 1994
- Regional Water Management Plan, Issue Identification and Alternative Management Strategies, Mojave Water Agency, May 1994
- Regional Water Management Plan Update, Phase 1 Report, Mojave Water Agency, June 2002
- Regional Water Management Plan Update, Phase 2 Report, Mojave Water Agency, May 2003
- Regional Water Management Plan, Mojave Water Agency, September 2004
- Transition Zone Hydrogeology, Mojave River Transition Zone Recharge Project, Mojave Water Agency, March 2003
- Groundwater Supply and Demand in the Transition Zone, Mojave River Transition Zone Recharge Project, Mojave Water Agency, June 2003
- Hydrologic Inventory Update, Mojave River Basin, 1990-1997, Robert G. Beeby, Bookman-Edmonston Engineers, January 1999
- Response to the Questions Raised by the Court in its Notice of Ruling Dated January 29, 2003, Hearing on March 21, 2003
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- Este Hydrologic Atlas, California State University Fullerton College of Natural Sciences and Mathematics, Department of Geological Sciences, January 2005
- Summary Report of Subsurface Flows Between Subareas, Robert C. Wagner, P.E., Mojave Basin Area Watermaster, February 2006
- Geologic Cross Section of Baja Subarea Based on DWR Bulletin 84 (1967), Estimated Depth of Bedrock, Historic and Projected Water Levels, Perforation Intervals of Various Wells and 2007 Water Production, Map Exhibit, Mojave Water Agency, March 2008
- Generalized Water Levels within the Alto Subarea Floodplain Aquifer 1917 to 2006, Map Exhibit, Mojave Water Agency, March 2008
- Mojave River Discharge Records for the period 1930-31 Through 2009-10
 - Deep Creek Near Hesperia, CA
 - West Fork Mojave River Near Hesperia, CA
 - Mojave River At Lower Narrows Near Victorville, CA
 - Mojave River At Barstow, CA
 - Mojave River At Afton, CA
- Precipitation Records
 - Squirrel Inn 2, 1930-31 Through 1939-40
 - Lake Arrowhead, 1940-41 Through 2009-10
 - Victorville, 1938-39 Through 2009-10
 - Barstow, 1930-31 Through 2009-10

Wagner Declaration
EXHIBIT 2

***Motion to Adjust Free Production Allowance
for Water Year 2011-2012***

EXHIBIT "C"



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
Inland Deserts Region
407 West Line Street
Bishop, CA 93514
(760) 872-1171
(760) 872-1284 FAX
www.dfg.ca.gov

EDMUND G. BROWN, Jr., Governor
JOHN McCAMMAN, Director



March 23, 2011

Mojave Basin Area Watermaster
Mojave Water Agency
22450 Headquarters Drive
Apple Valley, CA 92307

Dear Board Members,

Many of you have a long history of involvement in the Judgment (Judgment After Trial, dated January 10, 1996), a Judgment that requires us annually to discuss our court ordered responsibilities in regard to Free Production Allowance. The Department of Fish and Game (Department) is an ex officio member of the Baja Subarea Advisory Committee and I have been involved in this process since 2008.

In 2008, the Department and the Watermaster Engineer recommended that Baja be ramped down to 60% of Base Annual Production. This was based on information presented by Watermaster Engineer that showed water tables in Baja were declining two feet per year. The Department stated at the time that Rampdown to 60% was in compliance with the December 2005 Court Order. However, the Department also acknowledged at that time that an option that gave producers in Baja more time to adjust to conditions may be more acceptable to all parties, so we agreed not to oppose the compromise of a Rampdown to 70%, even though that was much less protective of natural resources.

In 2009, after reviewing relevant data, and pursuant to the Judgment, the Department and Watermaster Engineer recommended an additional Rampdown of 5% to 65%. That recommendation was based on data that showed water levels at the Harvard Road well had continued to decline, and water tables throughout Camp Cady Wildlife Area were below Exhibit H values. The court imposed 2.5% in 2009. Had the recommendations of the Watermaster Engineer, the Department, and the Judgment been followed, Baja would have been at 55% of Base Annual Production in 2010 rather than the 67.5%.

In 2010, Watermaster Engineer stated that despite a decline in water production in Baja of 20% over the past two years, water levels continued to decline at about two feet per year throughout Baja overall and continues to have a negative effect on the biological resources at Camp Cady. Contrary to the Judgment, Watermaster Engineer proposed an option with a guaranteed 2.5% Rampdown per year for five years. The Department considered the proposal and believed that it was acceptable as an "alternative option" for a number of reasons. A predictable rate of Rampdown would allow for all parties to plan ahead. All parties could avoid time-consuming and costly court preparations each year. Although this alternative option would result in a longer time to bring the basin

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into balance, The Department believed it would be in the best interest of the public to reduce the amount of resources spent on court proceedings, while still moving toward recovery.

Now it is 2011. Overdraft in Baja continues. Free Production Allowance exceeds Production Safe Yield and current water production and consumptive use exceeds the average net long-term supply in Baja. The Watermaster Engineer concludes that pursuant to the Judgment additional Rampdown in Baja is warranted at the compromised level of 2.5%.

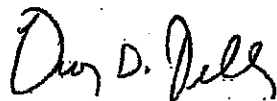
On February 23, 2011, the Watermaster Board approved for comment a production schedule that did not include a 2.5% rampdown for Baja. This proposed action by the Watermaster, in not ramping down production in Baja by 2.5% in 2011 would not be in compliance with either the 2010 court order or the recommendation of the Watermaster Engineer.

The Department urges the Watermaster Board to modify its proposed recommendation for the Baja Subarea to include a reduction of 2.5% in compliance with the court order; otherwise, the Department will be forced to recommend to the court a rampdown of 5% as per the original judgment.

The goal of all parties involved should be to achieve hydrologic balance in Baja. The Department of Fish and Game has demonstrated, through good faith effort and compromise, a willingness to reach this goal, even though the time frame for recovery of biological resources continues to be extended.

Thank you for your consideration.

Sincerely,



Troy Kelly
Senior Environmental Scientist
Inland Deserts Region

Valerie Wiegenstein

From: Brad Henderson <BHenderson@dfg.ca.gov>
Sent: Tuesday, March 15, 2011 3:00 PM
To: Valerie Wiegenstein
Subject: Baja Subarea
Attachments: LEGAL_SCANNER_20110315_152222.pdf

Dear Ms. Wiegenstein:

Attached is the February 23, 2011 letter submitted by DFG to the Mojave Basin Area Watermaster in support of the Watermaster Engineer's conclusion and recommendation for ramp down for the Baja Subarea in 2011.

As stated in the attached letter, the Department believes that additional rampdown in Baja is warranted. Further, in 2010, the court imposed a 2.5% per year rampdown in the Baja Subarea beginning in 2010 and continuing for four additional years. On February 23, 2011, the Watermaster approved for comment a production schedule that did not include a 2.5% rampdown for Baja. This proposed action by the Watermaster, in not ramping down production in Baja by 2.5% in 2011 would not be in compliance with either the 2010 court order or the recommendation of the Watermaster Engineer. The Department urges the Watermaster to modify its proposed recommendation for the Baja Subarea to include a reduction of 2.5% in compliance with the court order.

Thank you,

Brad Henderson
Senior Environmental Scientist
Habitat Conservation Planning Branch
Inyo/Mono Counties
California Department of Fish and Game
Inland Deserts Region
407 West Line Street
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California Natural Resources Agency
DEPARTMENT OF FISH AND GAME

EDMUND G. BROWN, Jr. Governor
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February 23, 2011

Mojave Basin Area Watermaster
Mojave Water Agency
22450 Headquarters Drive
Apple Valley, CA 92307

Subject: Watermaster Proposed Recommendation for Free Production Allowance for Water Year 2011-2012

Dear Board Members,

The Department of Fish and Game (Department) has reviewed the Proposed Recommendation for Free Production Allowance for Water Year 2011-2012 prepared by Robert C. Wagner, Watermaster Engineer, dated February 23, 2011. The Department is the state trustee agency for the fish and wildlife resources of the state and is a party to the Judgment After Trial, dated January 10, 1996. In addition, the Department is a landowner in Baja and a member of the Baja Subarea Advisory Committee.

The Department agrees with the Watermaster Engineer's conclusion that pursuant to the Judgment additional Rampdown in Baja is warranted. Free Production Allowance (FPA) exceeds the Production Safe Yield (PSY) and current water production and consumptive use exceeds the average net long-term supply in Baja. The continued overdraft in Baja will cause continued depletion of water from storage.

Last year, after consideration of information provided by the Department, Watermaster, and Baja producers, the Court imposed a 2.5% per year Rampdown commencing in 2010-11 and continuing for the next four years. Water Year 2011-12 would be the second year of rampdown at 2.5%. Although this rampdown scenario will result in a longer time to bring the basin into balance, the Department believes it is in the best interest of the public to reduce the amount of resources spent on court proceedings, while still moving toward recovery. The Department agrees with the Watermaster Engineer's recommendation that FPA in Baja be set at 62.5% and reduced 2.5% per year for the next three years consistent with the court's order.

Sincerely,

Troy Kelly
Senior Environmental Specialist
Inland Deserts Region

Baja Sub-area Advisory Committee
Proposal to Watermaster
Water Year 2011-12

March 18, 2011

Dear Watermaster,

The Baja Sub-area Advisory Committee would like to thank the Board of Directors for recommending a stay at 65% for the next water year (2011-12). Since verified production was 21,339 AF and so close to the production safe yield of 20,679 AF, we appreciate the Board's direction and recommendation to the Court.

The committee is in the process of working with Watermaster staff on the Baja Water Budget and anticipates completion by the end of this year. We're not sure where the Centro/Baja Conceptual Model is currently at, but perhaps there will be information available by year's end regarding Baja.

We appreciate the work and ongoing effort of Staff and the Watermaster in working with the Baja Sub-area Advisory Committee.

Thank you

Ellen Johnson
BSAC Chairperson

Baja Sub-area Advisory Committee
P.O. Box 344
Newberry Springs, Ca. 92365

March 21, 2011

Mojave Water Agency
Watermaster
22450 Headquarters Dr.
Apple Valley, Ca 92307

Dear Directors,

As the purpose of the BSAC is to advise Watermaster, we feel the correspondence between Fish and Game and CAFA (California Alfalfa & Forage Association) we just received should be passed on.

When Fish and Game Purchased the Hilarides property (pivot in the river by Harvard Rd), now known as the Bluff Unit, the pivot and well were old and the field was partially blown out with sand. They made it into a bird habitat for feeding resident and migrating birds, and hunting. BSAC questioned why, when the existing fields that were in production were serving this purpose. BSAC sent Fish and Game literature from CAFA relating to this. Fish and Game did not agree with the information, so CAFA felt the need to respond. (See attachment) At times the pivot was watering the unplanted portion of the field and according to some, the only birds this property attracted were ravens, a major problem for all wild life in the Mojave Desert.

The last year this property was planted, the crop was harvested and sold. When brought up to Fish and Game, the response was "at no time has the department ever grown crops for sale". This is probably correct, but the hay was cut and removed from the property. When we asked about the project prior to this, Tonya Moore, representative at the time, and senior biologist for the area, was not aware of this property or the project. It appears Fish and Game was not on top of what was happening on their property. One would think that pumping out of the river upstream of Camp Cady would not be beneficial to the Desert Riparian Habitat. At the January 27, 2010 Watermaster meeting, Fish and Game submitted a request to use Biological Trust Fund monies to replace/refurbish the irrigation well at the Bluff Unit. One of the goals is to re-establish food and nesting plots for resident and migratory bird species.

In the Regional Water Management plan under Baja Storm Flow Non-SWP increase Recharge Efficiency it states; "Retention would construct seasonal (temporary) sand dams, dikes, or other facilities in the Mojave River channel that could enhance the natural recharge of the Floodplain aquifer. Stakeholders have suggested that there are two or more locations in the vicinity of Daggett and Minneola that should be evaluated". Many in the Baja area feel that this would be monies better spent for the enhancement of the desert riparian habitat and the citizens of Baja.

Fish and Game as a committee member has attended very few meetings in the last several years. This is due to the cut backs and having the first 3 Fridays off, although we have tried to meet on the last Friday when possible, with no attendance. Members from the BSAC offered to go to Bishop to meet, but Denise Racine said she was retiring and would pass on our information. We have not heard from anyone since.

Although Fish and Game say they are members of the BSAC, it appears that any input coming from BSAC does not have much importance.

Sincerely

Ellen Johnson
BSAC Chairperson



March 8, 2011

Ms. Ellen Johnson
Baja Sub-Area Advisory Committee
P.O Box 344
Newberry Springs, CA 92365-0344

Dear Ms. Johnson:

We recently received a copy of a letter dated March 16, 2010, written by Ms. Denyse Racine, representing the California Department of Fish and Game's position, as part of the "Baja Sub-Area Advisory Committee comments of August 11, 2009." Several statements in the letter require a response, especially references to the California Alfalfa & Forage Association (CAFA) booklet, *Alfalfa, Wildlife and the Environment*. We provided your committee with the booklet and we assure you it is highly recognized for its authenticity.

Page 2, paragraph 2 of Ms. Racine's letter implies that the booklet lacks credibility because it is an "industry produced publication". University and USDA specialists who wrote and peer reviewed the booklet have more than 100 years of combined research and hands-on experience, and we stand by their expertise. The booklet was written to educate the public, regulatory agencies, environmentalists, politicians and other policy makers. Some have called for a reduction in alfalfa acreage or even a complete ban. Misinformation plagues alfalfa even though its farm-gate value exceeded \$1 billion in 2008 and it is an important component to the dairy and beef cattle industries.

Comments on page 3 are offensive to the co-author and diminish alfalfa's importance for wildlife habitat. According to Ms. Racine, the booklets "co-author is subjective...not quantitative...and is not substantiated by any supporting documentation." For supporting documentation we suggest she begin by conferring with Audubon. In a recent Audubon article, *Farming for Birds: Alfalfa and Forages as Valuable Wildlife Habitat*, (C. Alex Hartman and Keiller Kyle), the authors state that, "With alfalfa facing pressure to curb its water use and compete with higher value crops, it will be imperative for the public to know that alfalfa is not only essential to the agriculture economy but also for sustaining wildlife."

When one wades through the writer's point-by-point objections, what emerges

is a general dislike of agriculture. None would argue that agriculture is not a profound disruption to the natural environment. None would claim that any farmed field is superior to the untouched landscape where native creatures evolved. Humans left the hunter-gatherer world millennia ago; and the environmental record of that form of food provision was not so great, either. At times, properly managed agricultural fields can compensate for the loss or disruption of natural habitat; and in fact both rice and alfalfa are widely recognized for this. Alfalfa has specific values beyond habitat, such as its importance as an insectary, as a source of organic nitrogen fertilizer, and as an aid in remediating or preventing water pollution. The point of our booklet is to describe the crop's benefits in comparison to many other crops, or comparison to industrial uses.

-continued-

If it is the Department's position that alfalfa culture is to be discouraged, or that its environmental profile is inferior to that of other crops, it should make that clear and defend its position.

Sincerely,

Aaron Kiess
Executive Director, CAFA

cc: Troy Kelly
cc: Philip Bowles, CAFA Chairman

Valerie Wiegenstein

From: Linda DeLuca <californiadeluca@gmail.com>
Sent: Friday, April 08, 2011 12:07 AM
To: Watermaster
Cc: Valerie Wiegenstein; Jeff Ruesch
Subject: WaterMaster Report 4.8.2011 - Baja (Newberry Springs, CA)

Mojave Basin Area

WaterMaster

April 8, 2011 – Regular Meeting 1:00 pm

Item 4 – Public Participation:

Comments on Item No.11 – Public Hearing to receive and adopt the Proposed Recommendation for FREE PRODUCTION ALLOWANCE for water year 2011-12 was proposed below.

Baja(3) – FREE PRODUCTION ALLOWANCE (FPA) for water year 2011-12 – FPA Recommendation is 65% of Base Annual Production.

Note(3) – The recommendation of WaterMaster Engineer was to set FPA in Baja at 62.5% of Base Annual Production.

(Pages 3 & 4 of April 8, 2011 Agenda)

Recommendation

We support the staff WaterMaster Engineer, Mr. Tom Bilhorn, Consultant for Department of Fish and Game, Mr. Troy Kelly, Department of Fish and Game, all of the minimum producers in Newberry Springs. We have spoken to, and we/Wayne L Snively and Linda DeLuca to reduce the Base Annual Production by 2.5% to 62.5% for the 2011-12 water year.

Refer to Pages 45, 46, & 47 of April 8, 2011 Agenda MBAW – April 8, 2011 Memorandum.

This memorandum clearly documents the problem of continuing overdrafts, as indicated in ground water levels in the Baja dropping. There is no provision to import water or other conditions to achieve hydrologic balance.

Even if the WaterMaster Board reverses its decision and approves a 2.5% rampdown to 62.5% in compliance with the Court Order. There still is a minimum yearly overdraft of over 10,425 acre feet. This figure does not include the 38,446 acre feet of water that pumpers could use legally in addition to the 62.5% FPA acre-feet, as part of their legal carryover.

Several parties in Baja Area are required to drill new wells for their private residences. Who is protecting the rights of these "minimal producers" with no voice in this process?

Our goal is for all citizens, including our 2,200 minimum producers who have no water rights, to achieve hydrologic balance in Baja.

Sincerely,

Wayne L. Snively

Linda DeLuca

Minimum Producer

Minimum Producer

Newberry Springs – Baja Ar

PROOF OF SERVICE

**STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO}**

I am employed in the County of the San Bernardino, State of California. I am over the age of 18 and not a party to the within action; my business address is 22450 Headquarters Drive, Apple Valley, California.

On April 28, 2011, the document(s) described below were served pursuant to the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B.2 which provides for service by electronic mail upon election by the Party or paragraph 10.D, which provides that Watermaster shall mail a postcard describing each document being served, to each Party or its designee according to the official service list, a copy of which is attached hereto, and which shall be maintained by the Mojave Basin Area Watermaster pursuant to Paragraph 37 of the Judgment. Served documents will be posted to and maintained on the Mojave Water Agency's internet website for printing and/or download by Parties wishing to do so.

Document(s) filed with the court and served herein are described as follows:
NOTICE OF MOTION AND MOTION TO ADJUST FREE PRODUCTION ALLOWANCE FOR WATER YEAR 2011-12; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATION OF ROBERT C. WAGNER IN SUPPORT THEREOF.

 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 April 28, 2011 at Apple Valley, California.


Valerie Wiegstein

Mojave Basin Area Watermaster's Service List as of April 28, 2011

Abbott Family Trust
Box 77 Star Route
Oro Grande, CA 92368
Attn: Buck Abbott

Abengoa Solar, Inc. (via email)
11500 West 13th Ave
Lakewood, CO 80215-4406
Attn: Christopher B. Hansmeyer
(Christopher.Hansmeyer@solar.abengoa.com)

Abshire, David V.
P.O. Box # 2059
Lucerne Valley, CA 92356-2059
Attn: John McCallum

Adelanto, City Of (via email)
P. O. Box 10
Adelanto, CA 92301
Attn: John Sponsler
(Jsponsler@ci.adelanto.ca.us)

Ades, John and Devon (via email)
(DevonAdes@verizon.net)

Aerochem, Inc. (via email)
HCR Box 80A, 4001 El Mirage Road
Adelanto, CA 92301-0040
Attn: Kent T. Christenson
(Kchristensen@ducommun.com)

Agcon, Inc. (via email)
17671 Bear Valley Road
Hesperia, CA 92345
Attn: Lori Clifton
(lclifton@robarenterprises.com)

Ake, Charles J. and Marjorie M.
2301 Muriel Drive, Apt. 67
Barstow, CA 92311-6757

Aidersley, Lynn M.
27475 Ynex Road #153
Temecula, CA 92591-4612

American States Water Company
1920 W. Corporate Way
Anaheim, CA 92801-5373
Attn: Ana Chavez

Anderson, Ross C. and Betty J.
13853 Oakmont Dr.
Victorville, CA 92395-4832

Apple Valley Country Club
15200 Rancherias Road
Apple Valley, CA 92307-5201
Attn: Nick Hanson

Apple Valley Foothill County Water District
P.O. Box 914
Apple Valley, CA 92308-0914
Attn: Brenda Bitonti

Apple Valley Heights County Water District
9429 Cerra Vista
Apple Valley, CA 92308-9005
Attn: Gail Hunter

Apple Valley Ranchos Water Company (via email)
P. O. Box 7005
Apple Valley, CA 92307
Attn: Scott Weldy (scott@avrwater.com)

Apple Valley View Mutual Water Company
P.O. Box 3680
Apple Valley, CA 92307
Attn: Emely and Joe Saltmeris

Apple Valley, Town Of
14955 Dale Evans Parkway
Apple Valley, CA 92307-3061
Attn: Lance Miller

Aqua Capital Management, LP (via email)
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Omaha, NE 68114-3779
Attn: David L. Penrice
(dpenrice@acmwater.com)

Aqua Capital Management, LP-Agriculture
(via email)
444 Regency Parkway Dr. Suite 300
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Attn: David L. Penrice
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Aqua Capital Management, LP-Industrial (via email)
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Attn: David L. Penrice
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Arguelles, Alfredo
48001 Silver Valley Road
Newberry Springs, CA 92365
Attn: Angel Arguelles

Atchison, Topeka, Santa Fe Railway
Company (via email)
200 North Avenue H
Barstow, CA 92311-2553
Attn: Dean Forshee (Dean.Forshee@bnsf.com)

Atchison, Topeka, Santa Fe Railway Company
200 North Avenue H
Barstow, CA 92311-2553
Attn: Dean Forshee

Avila, Angel and Evalia
P.O. Box 1723
Lucerne Valley, CA 92356-

Bailey 2007 Living Revocable Trust, Sheré R.
(via email)
9701 Wilshire Blvd., 10th Floor
Beverly Hills, CA 90212-2010
Attn: Sheré R. Bailey
(BaileyLawOffice@yahoo.com)

Bank of America, National Association
1 MacArthur Place, Ste. 200
Santa Ana, CA 92707-5941
Attn: c/o AlvaradoSmith, APC,

Bar H Mutual Water Company (via email)
P.O. Box 844
Lucerne Valley, CA 92356-0844
Attn: Michael Mercurio
(barhwater@gmail.com)

Barber, James B.
43774 Cottonwood Road
Newberry Springs, CA 92365

Bar-Len Mutual Water Company
P. O. Box 77
Barstow, CA 92312-0077
Attn: Bill Davis

Baron, Susan and Palmer, Curtis
17618 Osbourne Ave
Chino Hills, CA 91709-3216
Attn: Curtis Palmer

Mojave Basin Area Watermaster's Service List as of April 28, 2011

Barstow, City of (via email)
220 East Mountain View Street -Suite A
Barstow, CA 92311
Attn: Ronald O. Rector
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Bass Trust, Newton T.
14924 Chamber Lane
Apple Valley, CA 92307
Attn: Barbara Davison

Bastianon Revocable Trust
9484 Iroquois Rd.
Apple Valley, CA 92308
Attn: Remo E. Bastianon

Basura Family Trust
9776 Zepher Court
Apple Valley, CA 92308
Attn: Russell Cooper

Bedingfield, Lyndell and Charlene
43434 Cottonwood Road
Newberry Springs, CA 92365
Attn: Jeffrey P. McDonnell

Beebe, Robert W. and Dorothy K.
10111 Choicana
Hesperia, CA 92345

Beinschroth Family Trust
18794 Sentenac Road
Apple Valley, CA 92307-5342
Attn: A. J. Beinschroth

Beinschroth, A. J.
18794 Sentenac Road
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Bell, Chuck (via email)
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Bender, Marlene
23852 Pebble Beach
Laguna Niguel, CA 92677

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Newberry Springs, CA 92365

Best, Byron L.
21461 Camino Trebol
Lake Forest, CA 92630-2011

Borgogno Revocable Living Trust
34690 Yarrow Court
Winchester, CA 92596-8793
Attn: Roberta B. Travers

Borja, Leonil T. and Tital L.
20784 Iris Canyon Road
Riverside, CA 92508-

Bowman, Edwin L.
10691 Deerfield Drive
Cherry Valley, CA 92223-5599

Bracht, William F. and Alexander, Alicia M.
12439 Addison Street
N. Hollywood, CA 91607
Attn: Alicia Alexander

Brommer Family Trust
13129 S. Baker Avenue
Ontario, CA 91761-9408
Attn: Marvin & Carroll Brommer

Brooklier, Nancy L.
P.O. Box 254
Helendale, CA 92342

Brown, Bobby G. and Valeria R.
26776 Vista Road
Helendale, CA 92342-9789

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10001 Choiceana Ave.
Hesperia, CA 92345

Brown, Ronald A.
12031 Philadelphia Street
Whittier, CA 90601-3926

Brown, Sue and Doug
2414 El Mirage Road
El Mirage, CA 92301

Bruneau, Karen
19575 Bear Valley Rd.
Apple Valley, CA 92308-5104

Bunnell, Dick
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Fountain Valley, CA 92708-

Bush, Kevin (via email)
7768 Sterling Ave.
San Bernardino, CA 92410-4741
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Barstow, CA 92312-1923
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Calico Lakes Homeowners Association
8599 Haven Ave, Suite 201
Rancho Cucamonga, CA 91730-4849
Attn: Steve Mammen

California Department Of Transportation
1800 Dill Road
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Attn: Jeff Renfro

CalMat Company
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Claremont, CA 91711
Attn: Robert W. Bowcock

Camanga, Tony & Marietta
48924 Bedford Rd.
Newberry Springs, CA 92365

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Canyon Lake, CA 92587
Attn: Eugene Campbell

Campbell, M. A. and Dianne
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Houston, TX 77245-1163

Campbell, Reginald F. and Janet S. (via email)
302 Via Blanca
San Dimas, CA 91773-4800
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Carlton, Susan
2273 248th Street
Lomita, CA 90717-1507

Casa Colina Foundation
11981 Midway
Lucerne Valley, CA 92356
Attn: Cris Schlanser

CDFG - Camp Cady (via email)
407 W Line St.
Bishop, CA 93514-
Attn: Troy Kelly (TKELLY@dfg.ca.gov)

CDFG - Mojave Narrows Regional Park
777 East Rialto Avenue
San Bernardino, CA 92415-0763
Attn: Phillip J. Krause

CDFG - Mojave River Fish Hatchery
12550 Jacaranda Avenue
Victorville, CA 92395-5183
Attn: Andrew Herrera

Cemex, Inc. (via email)
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Victorville, CA 92394-2999
Attn: Darlene Bray
(darlenemarie.bray@cemex.com)

Center Water Company
P. O. Box 616
Lucerne Valley, CA 92356
Attn: Debora Post

CF Properties, LLC
701 Cliff Drive
Newport Beach, CA 92663-
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Chafa, Larry R. and Delinda C.
P. O. Box 796
Ronan, MT 59864-0796

Chamisal Mutual Water Company
PO Box 395
Adelanto, CA 92301-0395
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Henderson, NV 89012-4480

Cheyenne Lake, Inc. (via email)
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Garden Grove, CA 92645

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Moreno Valley, CA 92557

Cline, Vivian D.
45835 Twin Lakes Drive
Newberry Springs, CA 92365-9688

Club View Partners
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671
Attn: Manoucher Sarbaz

Conner, William H.
11535 Mint Canyon Rd.
Agua Dulce, CA 91390-4577

Contratto, Ersula
21814 Hinkley Road
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Corbridge, Linda S.
6911 Shadow Wood Dr.
Moorpark, CA 93021-1186

Cramer Revocable Living Trust (via email)
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Cross, Sharon I.
P. O. Box 922
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Crystal Lakes Property Owners Association
P. O. Box 351
Yermo, CA 92398
Attn: Bob Buck

Daggett Community Services District
P. O. Box 308
Daggett, CA 92327
Attn: Lawrence Alf

Daggett Ranch, LLC
P.O. Box 112
Daggett, CA 92327-0112
Attn: Steve and Dana Rivett

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Dahlquist, George R. (via email)
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Darr, James S.
40716 Highway 395
Boron, CA 93516

De Jong Family Trust
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Newberry Springs, CA 92365
Attn: Alan L. De Jong

Dennison, Quentin D. - Clegg, Frizell and Joke
44579 Temescal Street
Newberry Springs, CA 92365
Attn: Randy Wagner

Desert Dawn Mutual Water Company
P. O. Box 392
Lucerne Valley, CA 92356-0392
Attn: Peggy Rook

Desert Springs Mutual Water Company
P. O. Box 396
Lucerne Valley, CA 92356-0396
Attn: Denise Courtney

Dexter Family Trust
12544 Okahda Court.
Apple Valley, CA 92308-7186
Attn: J.P. Dexter

DJC Corporation
35300 Old Woman Springs Road
Lucerne Valley, CA 92356-7706
Attn: Magdalena Jones

Docimo, Allen and Kathryn
48275 Silver Valley Road
Newberry Springs, CA 92365-8505

Docimo, Donald P. and Patricia J.
1176 Lee Ann Circle
San Jacinto, CA 92582-3087

Dolch, Robert and Judy
15760 Stoddard Wells Road
Victorville, CA 92395-2831

Donaldson, Jerry and Beverly
16736 B Road
Delta, CO 81416-8501

Dora Land, Inc.
P.O. Box 1405
Apple Valley, CA 92307-0026
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Dorrance, David W. and Tamela L.
2027 Valleria Court
Sugar Land, TX 77479-

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Morehead, KY 40351-7860

Dowell, Leonard
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Los Angeles, CA 90043-1948

D'Silva, Melanie
Three Ravina Drive Ste. #1450
Atlanta, GA 30346-2117

Elisabella, LLC
22591 Wakefield
Mission Viejo, CA 92692-4737
Attn: Eric and Anne Enriquez.

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Parachute, CO 81635-9601
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Evenson, Edwin H. and Joycelaine C.
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23032 Bryman Road
Oro Grande, CA 92368-

Farley, Gregory J.
7787 Lakeside Dr.
Riverside, CA 92509-5324

Federal Bureau of Prisons, Victorville (via email)
P. O. Box 5400
Adelanto, CA 92301-5400
Attn: Brett Jurgensen (bjurgensen@bop.gov)

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34080 Ord Street
Newberry Springs, CA 92365-9791

Ferro, Dennis and Norma
1311 1st Avenue N.
Jacksonville Beach, FL 32250-3512

First CPA LLC
46669 Valley Center Road
Newberry Springs, CA 92365-9748
Attn: Alex and Jerrica Liu

Fischer, Elmer G. and Beverly C.
1355 W. 26th Street
San Bernardino, CA 92405-3028
Attn: Carl Fischer

Fisher, Jerome
7603 Hazeltine
Van Nuys, CA 91405

Frates, D. Cole (via email)
5700 Wilshire Blvd. Suite 330
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Frazier, et al.
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Apple Valley, CA 92308-
Attn: Della Frazier

Mojave Basin Area Watermaster's Service List as of April 28, 2011

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Barstow, CA 92312

Fundamental Christian Endeavors, Inc. (via email)
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Newberry Springs, CA 92365
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Gabrych, Eugene
2006 Old Highway 395
Fallbrook, CA 92028

Gabrych, Eugene
34650 Minneola Rd
Newberry Springs, CA 92365-
Attn: Kimberly Hammock

Gaeta, Miguel and Maria
9366 Joshua Avenue
Lucerne Valley, CA 92356-

Gaeta, Trinidad
10551 Dallas Avenue
Lucerne Valley, CA 92356
Attn: Jay Storer

Gaines Family Trust, Jack and Mary (via email)
1750 East Ocean Blvd #207
Long Beach, CA 90802-6017
(bgaines4@verizon.net)

Garcia, Daniel
9899 Summerhill Rd.
Alta Loma, CA 91737

Gayjikian, Samuel and Hazel
P. O. Box 684
Lucerne Valley, CA 92356

GenOn Energy, Inc.
P. O. Box 337
Daggett, CA 92327-0337
Attn: Steve Swift

Gold, Harold
1037 N. Primrose Avenue
Rialto, CA 92376

Golden State Water Company
1920 W. Corporate Way
Anaheim, CA 92801-5373
Attn: Ana Chavez

Gordon Acres Water Company
P. O. Box 1035
Lucerne Valley, CA 92356-1035
Attn: Vivian Roberts

Gray, George F. and Betty E.
975 Bryant
Calimesa, CA 92320-1301

Green Acres Estates
P. O. Box 2681
Apple Valley, CA 92307
Attn: Elizabeth Keith

Greenhouse Family Trust
25322 Aster Road
Oro Grande, CA 92368-
Attn: Sheryl Greenhouse

Grieder, Raymond H. and Dorisanne
41234 Harper Lake Road
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Gubler, Hans
P. O. Box 3100
Landers, CA 92285

Gulbranson, Merlin
P.O. Box 482
Helendale, CA 92342-
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Gutierrez, Jose and Gloria
24116 Santa Fe
Hinkley, CA 92347

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14730 Tigertail Road
Apple Valley, CA 92307-
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P.O. Box 1089
Corona, CA 92878-1089

Hainje, Kenneth Edward
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Helendale, CA 92342-0413

Halanna Equities III
233 Sansome Street, Suite 928
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Attn: Alexandra Lioanag

Hal-Dor Ltd.
35300 Old Woman Springs Road
Lucerne Valley, CA 92356
Attn: Magdalena Jones

Hamilton Family Trust
19945 Round Up Way
Apple Valley, CA 92308-8338
Attn: Doug and Cheryl Hamilton

Handley, Don R. and Mary Ann
29611 Exeter Street
Lucerne Valley, CA 92356
Attn: Mary Ann Hendley-Norris

Handrinos, Nicole A.
1140 Parkdale Rd.
Adelanto, CA 92301-9308
Attn: William Handrinos

Hanify, Michael D., dba - White Bear Ranch
36511 Lenwood Road
Hinkley, CA 92347-9725
Attn: Donald F. Hanify

Hanson Aggregates WRP, Inc.
P. O. Box 190
Newberry Springs, CA 92365-0190
Attn: Robert D. Rogers

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Hare, Thomas R. and Helen P.
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Hinkley, CA 92347-9631

Hareson, Nicholas and Mary
1737 Anza Avenue
Vista, CA 92084

Harmsen, James & Ruth Ann
23920 Community Blvd.
Hinkley, CA 92347-9721

Harper Lake Company VIII (via email)
43880 Harper Lake Road
Hinkley, CA 92347
Attn: Glen King (Glen.King@fpl.com)

Harper Lake, LLC (via email)
7151 Coriander Trail
Oak Hills, CA 92344-9029
Attn: Henry Orlosky
(HOrlosky@HarperLakeLLC.com)

Harrison, Connie and Harold
22230 National Trails Hwy.
Oro Grande, CA 92368

Harter, Joe and Sue
34530 Minneola Road
Newberry Springs, CA 92365-9191

Harvey, Jeffrey W. and Lisa M.
PO Box 1947
Lucerne Valley, CA 92356-

Hass, Pauline L.
P.O. Box 1004
Barstow, CA 92312

Helendale Community Services District (via email)

P. O. Box 359
Helendale, CA 92342-0359
Attn: Michael Simpson
(kcox@helendalecsd.org;
mjsimpson@helendalecsd.org)

Helendale School District
P. O. Box 249
Helendale, CA 92342
Attn: Peter Czarnota

Hendley, Rick and Barbara
P.O. Box 144
Yermo, CA 92398-0144
Attn: Jim Martin

Hensley, Mark P. (via email)
35523 Mountain View Rd
Hinkley, CA 92347-9613
(MHensley51@hotmail.com)

Hermanas Misioneras Servidoras de la Palabra
(via email)
3980 Opal Street
Riverside, CA 92509-
Attn: Marina Tapia (marinahmsp@yahoo.com)

Hert, Scott
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Lucerne Valley, CA 92356-0590

Hesperia Water District (via email)
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Hesperia, CA 92345-3493
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Hesperia, City of (via email)
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Hesperia, CA 92345-3493
Attn: Rodger Ashby
(slantsberger@cityofhesperia.us;
rashby@cityofhesperia.us)

Hettinga, Hein and Ellen (via email)
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Ontario, CA 91762-7704
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Hi Desert Mutual Water Company
23667 Gazana Street
Barstow, CA 92311
Attn: Ed Knauff

Hiett, Harry L.
P.O. Box 3442
Big Bear Lake, CA 92315-3442

High Desert Associates, Inc.
405 North Indian Hill Blvd.
Claremont, CA 91711-4614
Attn: Robert W. Bowcock

Hi-Grade Materials Company (via email)
17671 Bear Valley Road
Hesperia, CA 92345-4902
Attn: Lori Clifton
(lclifton@robarenterprises.com)

Hilarides 1998 Revocable Family Trust
37404 Harvard Road
Newberry Springs, CA 92365
Attn: Frank Hilarides

Hill Family Trust and Hill's Ranch, Inc. (via email)
25749 Community Blvd
Barstow, CA 92311-9672
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Ecandlish@gmail.com)

Hitchin Lucerne, Inc.
P. O. Box 749
Lucerne Valley, CA 92356
Attn: Mary Thomas

Ho, Ting-Seng and Ah-Git
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Hodge, Stanley W.
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Apple Valley, CA 92307

Mojave Basin Area Watermaster's Service List as of April 28, 2011

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Denver, CO 80202-1348

Hong, Paul B. and May
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Horton, John
47716 Fairview Road
Newberry Springs, CA 92365-9258

Horton's Children's Trust
47716 Fairview Road
Newberry Springs, CA 92365-9258
Attn: John Horton

Howard Revocable Trust
109 E. Fredricks Street
Barstow, CA 92311-2809
Attn: Norman N. Howard

Hrubik, Thomas A.
P. O. Box 2611
Apple Valley, CA 92307-0049

Hubbard, Ester and Mizuno, Arlean
2225 7th Avenue
Los Angeles, CA 90018-1146
Attn: Ester Hubbard

Huerta, Hector
25684 Community Blvd
Barstow, CA 92311-9671
Attn: John Driscoll

Hunt, Ralph M. and Lillian F.
P. O. Box 603
Yermo, CA 92398

Hutchison Trust, William O.
P. O. Box 97
Newberry Springs, CA 92365
Attn: William O. Hutchison

Hyatt, James and Brenda
P. O. Box 85
Newberry Springs, CA 92365

Irvin, Bertrand W.
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Newberry Springs, CA 92365-0467

Italmood Inc., et. al. (via email)
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Jackson, James N. Jr Revocable Living Trust
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Los Angeles, CA 90019-3517
Attn: James Jackson Jr.

Jackson, Ray
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Newberry Springs, CA 92365

Jamboree Housing Corporation
15940 Stoddard Wells Road - Office
Victorville, CA 92395-2800
Attn: Joseph E. Brooks

Jess Ranch Water Company
906 Old Ranch Road
Florissant, CO 80816-
Attn: Gary A. Ledford

Jo, Myung Hyun
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48084 Fairview Road
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1156 Clovis Circle
Dammeron Valley, UT 84783-5211

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Hesperia, CA 92340-1472
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Jones, Joette
81352 Fuchsia Ave.
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Jordan Family Trust
31325 Clay River Road
Barstow, CA 92311
Attn: Raymond Jordan

Jubilee Mutual Water Company
P. O. Box 1016
Lucerne Valley, CA 92356
Attn: Rudy Cervantes

Juniper Riviera County Water District
P. O. Box 386
Apple Valley, CA 92307
Attn: Derek Sandwick

Karimi, Hooshang
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Kasner Family Limited Partnership (via email)
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Mojave Basin Area Watermaster's Service List as of April 28, 2011

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Kemp, Robert and Rose
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Kemper Campbell Ranch
10 Kemper Campbell Ranch Road
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Kenwood Management, LLC (via email)
35000 Indian Trail
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Kiel, Mary
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Attn: Georgann Flinchbauch

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Kim, Joon Ho and Mal Boon Revocable Trust
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Attn: Annette De Jong

Kim, Ju Sang
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Attn: Seon Ja Kim

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Kosharek, John and Joann
P. O. Box 357
Newberry Springs, CA 92365

Lake Arrowhead Community Services District
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Lake Jodie Property Owners Association
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Lake Waikiki
230 Hillcrest Drive
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Attn: Nancy Lan

Lake Wainani Owners Association
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Attn: Ron Basbas

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Irvine, CA 92620-
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Mojave Basin Area Watermaster's Service List as of April 28, 2011

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2026 Turnbull Canyon
Hacienda Heights, CA 91745-
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Lucerne Vista Mutual Water Company (via email)
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Mojave Basin Area Watermaster's Service List as of April 28, 2011

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Moss, Lawrence W. and Helen J.
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Attn: Dennis Hills

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46126 Old National Trails Highway
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Mojave Basin Area Watermaster's Service List as of April 28, 2011

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Mojave Basin Area Watermaster's Service List as of April 28, 2011

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San Bernardino, CA 92374-
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San Bernardino County Service Area 70J
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Short, Jerome E.
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Mojave Basin Area Watermaster's Service List as of April 28, 2011

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7070 SVL Box
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Attn: Mitch Brown

St. Antony Coptic Orthodox Monastery
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Barstow, CA 92311-0100
Attn: Father Anastasi

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Mojave Basin Area Watermaster's Service List as of April 28, 2011

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Mojave Basin Area Watermaster's Service List as of April 28, 2011

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Western Water Company
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