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**Brunick, McElhaney, Beckett,
Dolen & Kennedy**

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG 19 2011

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

CITY OF BARSTOW, et al.,

Plaintiff,

vs.

CITY OF ADELANTO, et al.,

Defendant,

CASE NO. 208568

~~[Proposed]~~ **ORDER GRANTING
MOTION TO ADJUST FREE
PRODUCTION ALLOWANCE FOR
WATER YEAR 2011-2012**

Assigned for All Purposes to:
Judge Gloria Connor Trask
Dept. 3

AND RELATED CROSS ACTIONS

The above-entitled action came on regularly for hearing on July 19, 2011, before the Honorable Gloria Conner Trask, Judge presiding, on the motion of defendant/cross-complainant, MOJAVE WATER AGENCY, acting in its capacity as Watermaster, pursuant to the Judgment entered January 10, 1996, Paragraph 24(o), seeking an adjustment in Free Production Allowance. William J. Brunick, Brunick, McElhaney, Beckett, Dolen & Kennedy PLC appeared on behalf of the Mojave Water Agency. Michael W. Hughes, Deputy Attorney General, Office of the Attorney General of the State of California, appeared on behalf of the Department of Fish and Game. The court having reviewed and

1 considered the moving and opposing papers, and the arguments of counsel, and good cause appearing,
2 hereby GRANTS the motion on the following terms as to the Subareas defined in the Judgment of
3 January 10, 1996 for the Water Year 2011-12:

4 **ALTO SUBAREA**

- 5 1. Free Production Allowance (FPA) shall remain at 60% of Base Annual Production (BAP) for
6 Municipal and Industrial (M&I) producers.
7
8 2. FPA shall remain at 80% of BAP for Agricultural producers, i.e., those who produce water for
9 the irrigation of crops. (Pursuant to Motion and Order granted for Water Year 2003-2004).

10 **BAJA SUBAREA**

11 Rampdown shall occur reducing FPA from 65% to 62.5% of BAP for all producers for 2011-12
12 and reduce FPA in Baja 2.5% per year for the next three (3) years through 2014-15. Watermaster will
13 report to the court annually on hydrologic conditions as required by the Judgment.

14 **CENTRO SUBAREA**

15 FPA shall remain at 80% of BAP for all producers.

16 **ESTE SUBAREA**

17 Rampdown is deferred and FPA shall continue to remain at 80% of BAP for all producers.
18 However, deferred rampdown could be implemented upon further order of the court following
19 Watermaster's request and motion seeking court approval which could result in FPA being reduced to
20 the level required by the Judgment at the time the motion 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 70% to 65% of BAP for M&I producers. However,
24 implementation of the current and any future rampdown is stayed for a period of four (4) years
25 (starting in 2009-10) with Agricultural and M&I producers being allowed to produce water at
26 80% of BAP during the period that implementation of rampdown is stayed subject to further
27 order of the court following further hearings.

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IT IS SO ORDERED.

Dated: AUG 18 2011, 2011

Gloria Connor Trask
Gloria Connor Trask,
Judge of the Superior Court

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 13846 Conference Center Drive, Apple Valley, California 92307.

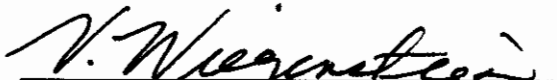
On August 25, 2011, the document(s) described below were served pursuant to the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B.2 which provides for service by electronic mail upon election by the Party or paragraph 10.D, which provides that Watermaster shall mail a postcard describing 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:

**ORDER GRANTING MOTION TO ADJUST FREE PRODUCTION ALLOWANCE
FOR WATER YEAR 2011-12**

 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 August 25, 2011 at Apple Valley, California.



Valerie Wiegstein

Mojave Basin Area Watermaster's Service List as of August 25, 2011

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

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Ades, John and Devon (via email)
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Attn: Lori Clifton
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Temecula, CA 92591-4612

American States Water Company
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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
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Attn: Emely and Joe Saltmeris

Apple Valley, Town Of
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Santa Ana, CA 92707-5941
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Basura Family Trust
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Attn: Russell Cooper

Bedingfield, Lyndell and Charlene
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Borgogno Revocable Living Trust
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Cherry Valley, CA 92223-5599

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12439 Addison Street
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Brommer Family Trust
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California Department Of Transportation
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Attn: Jeff Renfro

CalMat Company
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Attn: Troy Kelly (TKELLY@dfg.ca.gov)

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

CDFG - Mojave River Fish Hatchery
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Attn: Andrew Herrera

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Daggett Community Services District
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Mojave Basin Area Watermaster's Service List as of August 25, 2011

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Mojave Basin Area Watermaster's Service List as of August 25, 2011

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Gaeta, Trinidad
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Gordon Acres Water Company
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Attn: Sheryl Greenhouse

Gubler, Hans
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Mojave Basin Area Watermaster's Service List as of August 25, 2011

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Mojave Basin Area Watermaster's Service List as of August 25, 2011

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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.
P.O. Box 467
Newberry Springs, CA 92365-0467

Italmood Inc., et. al. (via email)
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Easton, CT 06612-1036
Attn: Sebastian Marzaro (italmood@aol.com)

Jackson, James N. Jr Revocable Living Trust
1245 S. Arlington Avenue
Los Angeles, CA 90019-3517
Attn: James Jackson Jr.

Jackson, Ray
P. O. Box 333
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
P. O. Box 1844
Lucerne Valley, CA 92356-1844

Johnson, Carlean
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1156 Clovis Circle
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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
1254 Holmby Ave
Los Angeles, CA 90024-
Attn: Ash Karimi

Kasner Family Limited Partnership (via email)
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Chino, CA 91710-
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Kasner, Robert (via email)
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Katcher, August M. and Marceline
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Kemp, Robert and Rose
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Mojave Basin Area Watermaster's Service List as of August 25, 2011

Kemper Campbell Ranch
10 Kemper Campbell Ranch Road
Victorville, CA 92395-3357
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Kenwood Management, LLC (via email)
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Helendale, CA 92342-9782
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Kiel, Mary
6257 Dark Forest Drive
McKinney, TX 75070-9494
Attn: Georgann Flinchbaugh

Kim, Jin S. and Hyun H.
53 Bluecoat
Irvine, CA 92620

Kim, Joon Ho and Mal Boon Revocable Trust
46561 Fairview Road
Newberry Springs, CA 92365-
Attn: Annette De Jong

Kim, Ju Sang
2250 Simon Street
Fullerton, CA 92833-

Kim, Seon Ja
34981 Piute Road
Newberry Springs, CA 92365-9548
Attn: Seon Ja Kim

Koegler, Ronald R. and Carolyn V. (via email)
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Koering, Richard and Koering, Donna
40909 Mt. View
Newberry Springs, CA 92365-9414

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Newberry Springs, CA 92365

Lake Arrowhead Community Services District
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Lake Jodie Property Owners Association
8712 Dishers Way
Antelope, CA 95843-
Attn: Robert Angerer

Lake Waikiki
230 Hillcrest Drive
La Puente, CA 91744-4816
Attn: Nancy Lan

Lake Wainani Owners Association
4725 McKinnon Drive
Anaheim, CA 92807-3022
Attn: Ron Basbas

Lam, Phillip (via email)
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Langley, James - Industrial (via email)
10833 Aster Lane
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Langley, Michael R. and Sharon
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Lawson, Ernest and Barbara
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Lee, Doo Hwan
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Lee, et al., Sepoong and Woo Poong
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Irvine, CA 92620-
Attn: Sepoong & Woo Poong Lee

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Newberry Springs, CA 92365
Attn: Eric Archibek

Lem, Hoy (via email)
17241 Bullock St.
Encino, CA 91316-1473
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Lenhart, Ronald and Toni
10083 Deep Creek
Apple Valley, CA 92308-8322

LHC Alligator, LLC
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Upland, CA 91785-0670
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Liang, Yuan - I and Tzu - Mei Chen
416 Alamosa Drive
Claremont, CA 91711
Attn: Patrick Liang

Lin, Kuan Jung and Chung, Der-Bing
2026 Turnball Canyon
Hacienda Heights, CA 91745-
Attn: James Lin

Lopez, Baltazar
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Lucerne Valley, CA 92356-
Attn: Patricia Miranda

Mojave Basin Area Watermaster's Service List as of August 25, 2011

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Lua, Michael T. and Donna S.
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P. O. Box 1311
Lucerne Valley, CA 92356
Attn: Donna Chandler

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

Lucerne Vista Mutual Water Company (via email)
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Lucerne Valley, CA 92356-
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Luckey, Manley J.
8531 Glendale Road
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M Bird Construction
1613 State Street, Ste. 10
Barstow, CA 92311-4162
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M.B. Landscaping and Nursery, Inc.
20300 Figueroa Street
Carson, CA 90745-1212
Attn: Vera Martinez

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Attn: Robert Saidi

Maloney, Janice
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Manning, Sharon S.
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Attn: Jimmy Berry

Marcroft, James A. and Joan
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Mariana Ranchos County Water District (via email)
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Martin, Michael D. and Arlene D.
32942 Paseo Mira Flores
San Juan Capistrano, CA 92675

Mayberry, Donald J.
34555 Sandi Lane
Newberry Springs, CA 92365-9448

McCollum, Charles L.
13846 Sagassum Ct.
Hesperia, CA 92345
Attn: Rod Sexton

McInnis, William S.
8758 Deep Creek Road
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Mead, G. C. (Buck)
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Barstow, CA 92311-2057
Attn: Barbara J. Mead

Meadowbrook Dairy
P.O. Box 294370
Phelan, CA 92329-4370
Attn: Edward Imsand

Milbrat, Irving H.
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Newberry Springs, CA 92365-0487
Attn: David I. Milbrat

Miller Living Trust
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Attn: Donna Miller

Mitchell, Charles Thomas
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Mitchell, Charlotte
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Mitsubishi Cement Corporation (via email)
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Mizrahi, et al.
4105 W. Jefferson Blvd.
Los Angeles, CA 90048-
Attn: Philip Mizrahi

Mojave Solar, LLC (via email)
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Victorville, CA 92392-2407
Attn: Christopher Hansmeyer
(Christopher.Hansmeyer@solar.abengoa.com)

Monaco Investment Company
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671
Attn: Manoucher Sarbaz

Morris Trust, Julia V.
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Newberry Springs, CA 92365-9564
Attn: Billie Elliot

Mojave Basin Area Watermaster's Service List as of August 25, 2011

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Lucerne Valley, CA 92356-8116

Most Family Trust
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Apple Valley, CA 92308-
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821 W. Main Street
Barstow, CA 92311-2649
Attn: Denise Flores

Mulligan, Robert and Inez
PO Box 1507
St. Helena, OR 97051-1507
Attn: Dennis Hills

Murphy, Jean
46126 Old National Trails Highway
Newberry Springs, CA 92365-9025

Navajo Mutual Water Company (via email)
21724 Hercules St.
Apple Valley, CA 92308-8490
Attn: James Hansen
(gm@marianaranchoscwd.org)

New Springs Limited Partnership
416 Alamosa Drive
Claremont, CA 91711
Attn: Yuan-I Liang

Newberry Community Services District
P. O. Box 206
Newberry Springs, CA 92365
Attn: Ellen Johnson

Newberry Corporation (via email)
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Calabasas, CA 91372-
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Nuñez, Luis Segundo
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Laguna Niguel, CA 92677-4652
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Barstow, CA 92311
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Ohai, Reynolds and Dorothy
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Old Grove Properties, LLC (via email)
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Omya California, Inc.
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Oro Grande, CA 92368-0386

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Newberry Springs, CA 92365-9511

Pearson, Deryl B.
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Hesperia, CA 92345

Perko, Bert K.
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Perry, Thomas A.
14807 Kinai Road
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Attn: Paul H. Johnson

Pettigrew, Dan
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Mojave Basin Area Watermaster's Service List as of August 25, 2011

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5511 Tenderfoot Drive
Fontana, CA 92336-1156
Attn: Kathy Gillmore

Polich, Lee and Donna
11640 Deep Creek Road
Apple Valley, CA 92308

Porter, Timothy M.
34673 Little Dirt Road
Newberry Springs, CA 92365-9646

Price, Donald and Ruth
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Barstow, CA 92311-4027

Pruett, Andrea
P.O. Box 37
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Quigg and Company, Inc. (via email)
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Costa Mesa, CA 92627-
Attn: James Quigg (jamesquigg@juno.com)

Quiros, Fransisco J. and Hermann, Ronald
960 Western Ave.
Colton, CA 92324-2656
Attn: Fransisco J. Quiros

Rancheritos Mutual Water Company
P. O. Box 348
Apple Valley, CA 92307
Attn: Elizabeth Murena

Rancho Las Flores, LLC
33971 Selva Road, Suite 250
Dana Point, CA 92629-3734
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1015 15th Place
Hermosa Beach, CA 90254-

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Riggs, John H. and Millicent L.
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Rim Properties, A General Partnership
15434 Sequoia Road
Hesperia, CA 92345-1667
Attn: Ian Bryant

Rios, Mariano V.
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Barstow, CA 92312-1864

Rivero, Fidel V.
2600 W Woodlawn Avenue
San Antonio, TX 78228-

Riverside Cement Company - Oro Grande
Plant
P. O. Box 158
Oro Grande, CA 92368-0158
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Robertson's Ready Mix
200 South Main Street, Suite 200
Corona, CA 92882-
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Rock Foundation, LLC (via email)
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Ontario, CA 91764-5921
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Las Vegas, NV 89139-6606
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Attn: Susan Rossi Sommers

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San Louis Obispo, CA 93405-1507
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Attn: Sam Marich

Ruisch Trust, Dale W. and Nellie H.
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Hinkley, CA 92347
Attn: Paul Ryken

Mojave Basin Area Watermaster's Service List as of August 25, 2011

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Newport Coast, CA 92657-1812
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777 E. Rialto Ave
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Attn: Suzanne Pekar

San Bernardino County Service Area 29
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Lucerne Valley, CA 92356-0459
Attn: Reese Troublefield

San Bernardino County Service Area 42
P. O. Box 5004
Victorville, CA 92393-5004
Attn: Manuel M. Benitez

San Bernardino County Service Area 64
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Victorville, CA 92393-5004
Attn: Manuel M. Benitez

San Bernardino County Service Area 70J
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Victorville, CA 92393-5004
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47975 Lake Irene Drive
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9924 Mockingbird Avenue
Apple Valley, CA 92308-

Seals, William and Tibbett, Vicki Seals
22664 Little Beaver
Apple Valley, CA 92308-7438
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Service Rock Products Corporation (via email)
200 South Main St., Ste. 200
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Hesperia, CA 92345-
Attn: Rod Sexton

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33571 Fremont Road
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Short, Jerome E.
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Silver Lakes Association
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SL Investment Group, LLC
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Son's Ranch
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Specialty Minerals, Inc. (via email)
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Mojave Basin Area Watermaster's Service List as of August 25, 2011

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Victorville, CA 92395-5152
Attn: Mitch Brown

St. Antony Coptic Orthodox Monastery
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Attn: Father Anastasi

Steimle Family Trust, A.B. and Y.O.
2312 Stearnlee Ave
Long Beach, CA 90815-1935
Attn: Douglas Steimle

Storm, Randall
51432 130th Street
Byars, OK 74831-7357

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Hesperia, CA 92345

Sudmeier, Tod R and Tabitha A
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Summit Valley Ranch
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Hesperia, CA 92345-9411
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Sundown Lakes, Inc.
25672 Aurora Way
Mission Viejo, CA 92691-4619
Attn: Matthew Merwin

Sunray Energy, Inc. (via email)
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Daggett, CA 92327-0338
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48919 Valley Center Road
Newberry Springs, CA 92365-9726

Teisan, Jerry (via email)
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Thayer, Sharon
955 N. 7th Street
Colton, CA 92394

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Thompson Living Trust, James A. and Sula B.
22815 Del Oro Road
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Thompson Living Trust, R.L. and R.A.
9141 Deep Creek Road
Apple Valley, CA 92308
Attn: Rodger Thompson

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Attn: Robert Thoreson

Thrasher, Gary
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Oro Grande, CA 92368

Thunderbird County Water District
P. O. Box 1105
Apple Valley, CA 92307-1105
Attn: Roy Shull

Triple H Partnership
33700 Wildwood Canyon Road
Yucaipa, CA 92399
Attn: Jim Hoover

Troeger Family Trust, Richard H. (via email)
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Wrightwood, CA 92397
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Tsui, Richard
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Turner, Terry
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Newberry Springs, CA 92365-9017

Udderly Gold Farms, LLC
P.O. Box 729
McFarland, CA 93250-
Attn: Ken Greenfield

Union Pacific Railroad Company
1400 Douglas Street, Stop #1690
Omaha, NE 68179-1690
Attn: Mike Sattler

Vaca, Andy and Teresita S.
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Riverside, CA 92509-5613

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Mojave Basin Area Watermaster's Service List as of August 25, 2011

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Vernola Trust, Pat and Mary Ann
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Upland, CA 91785-0217
Attn: John Driscoll

Victorville Water District, ID#1 (via email)
PO Box 5001
Victorville, CA 92393-5001
Attn: Arnold Villarreal
(sborrowman@ci.victorville.ca.us;
avillarreal@ci.victorville.ca.us)

Visosky, Estate of Joseph F., Sr.
2694 E. Garvey Ave S., PMB 130
West Covina, CA 91791-2113
Attn: Thomas Visosky

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