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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,

AND RELATED CROSS ACTIONS

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

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
24 2. Rampdown shall occur reducing FPA from 70% to 65% of BAP for M&I producers. However,
25 implementation of the current and any future rampdown is stayed for a period of four (4) years
26 (starting in 2009-10) with Agricultural and M&I producers being allowed to produce water at
27 80% of BAP during the period that implementation of rampdown is stayed subject to further
order of the court following further hearings.

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IT IS SO ORDERED.

Dated: _____, 2011

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 July 21, 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:

PROPOSED 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 July 21, 2011 at Apple Valley, California.



Valerie Wiegenstein

Mojave Basin Area Watermaster's Service List as of July 21, 2011

Abbott Family Trust
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American States Water Company
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Anderson, Ross C. and Betty J.
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Apple Valley Heights County Water District
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Apple Valley View Mutual Water Company
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Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Basura Family Trust
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Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Attn: Phillip J. Krause

CDFG - Mojave River Fish Hatchery
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Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Gaeta, Trinidad
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Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Howard Revocable Trust
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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 92311-2809
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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Italmood Inc., et. al. (via email)
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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
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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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Jones, Joette
81352 Fuchsia Ave.
Indio, CA 92201-5329

Jordan Family Trust
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Barstow, CA 92311
Attn: Raymond Jordan

Jubilee Mutual Water Company
P. O. Box 1016
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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)
11584 East End Avenue
Chino, CA 91710-
Attn: Robert R. Kasner
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Kasner, Robert (via email)
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Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Newberry Springs, CA 92365

Kemper Campbell Ranch
10 Kemper Campbell Ranch Road
Victorville, CA 92395-3357
Attn: Jean De Blasis

Kenwood Management, LLC (via email)
35000 Indian Trail
Helendale, CA 92342-9782
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McKinney, TX 75070-9494
Attn: Georgann Flinchbauch

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
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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
4725 McKinnon Drive
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Attn: Ron Basbas

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Langley, Michael R. and Sharon
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Lawson, Ernest and Barbara
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Apple Valley, CA 92308

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Lee, et al., Sepoong and Woo Poong
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Irvine, CA 92620-
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Newberry Springs, CA 92365
Attn: Eric Archibek

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Encino, CA 91316-1473
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10083 Deep Creek
Apple Valley, CA 92308-8322

LHC Alligator, LLC
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Liang, Yuan - I and Tzu - Mei Chen
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Attn: Patrick Liang

Mojave Basin Area Watermaster's Service List as of July 21, 2011

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2026 Turnball Canyon
Hacienda Heights, CA 91745-
Attn: James Lin

Lopez, Baltazar
12318 Post Office Rd
Lucerne Valley, CA 92356-
Attn: Patricia Miranda

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Low, Dean
1031 Briarcliff Road
Monrovia, CA 91016-1703

Lua, Michael T. and Donna S.
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Rowland Heights, CA 91748

Lucerne Valley Mutual Water Company
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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Barstow, CA 92311-4162
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M.B. Landscaping and Nursery, Inc.
20300 Figueroa Street
Carson, CA 90745-1212
Attn: Vera Martinez

Mahjoubi, Afsar S.
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Newberry Springs, CA 92365
Attn: Robert Saidi

Maloney, Janice
42525 Silver Valley Road
Newberry Springs, CA 92365

Manning, Sharon S.
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Rowland Heights, CA 91748-4017
Attn: Jimmy Berry

Marcroft, James A. and Joan
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Newberry Springs, CA 92365

Mariana Ranchos County Water District (via email)
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Apple Valley, CA 92308-8605
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Martin, Michael D. and Arlene D.
32942 Paseo Mira Flores
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34555 Sandi Lane
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McCollum, Charles L.
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Barstow, CA 92311-2057
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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
82134 Dunn Drive
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Mitchell, Charles Thomas
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Mitchell, Charlotte
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Mitsubishi Cement Corporation (via email)
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Mizrahie, et al.
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Attn: Philip Mizrahie

Monaco Investment Company
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Beverly Hills, CA 90212-1671
Attn: Manoucher Sarbaz

Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Newberry Springs, CA 92365-9564
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Moss, Lawrence W. and Helen J.
38338 Old Woman Springs Road Spc# 72
Lucerne Valley, CA 92356-8116

Most Family Trust
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Mountain View, L.L.C.
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)
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Apple Valley, CA 92308-8490
Attn: James Hansen
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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

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Calabasas, CA 91372-
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Laguna Niguel, CA 92677-4652
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Odessa Water District
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Barstow, CA 92311
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Ohai, Reynolds and Dorothy
37304 Hinkley Road
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Old Grove Properties, LLC (via email)
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Omya California, Inc.
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Pearson, Deryl B.
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Perko, Bert K.
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Perry, Thomas A.
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Pettigrew, Dan
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Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Oro Grande, CA 92368-0127
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Poland, John R. and Kathleen A.
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
933 E. Virginia Way
Barstow, CA 92311-4027

Pruett, Andrea
P.O. Box 37
Newberry Springs, CA 92365

Quigg and Company, Inc. (via email)
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Costa Mesa, CA 92627-
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Quiros, Fransisco J. and Hermann, Ronald
960 Western Ave.
Colton, CA 92324-2656
Attn: Fransisco J. Quiros

Rancheritos Mutual Water Company
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Apple Valley, CA 92307
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Rancho Las Flores, LLC
33971 Selva Road, Suite 250
Dana Point, CA 92629-3734
Attn: Donald W. Hutchings

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1015 15th Place
Hermosa Beach, CA 90254-

Rieger Family Trust, Walter M.
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Newberry Springs, CA 92365
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Riggs, John H. and Millicent L.
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Beaumont, CA 92223

Rim Properties, A General Partnership
15434 Sequoia Road
Hesperia, CA 92345-1667
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Rios, Mariano V.
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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
Attn: Karla Brown

Robertson's Ready Mix
200 South Main Street, Suite 200
Corona, CA 92882-
Attn: Johnny Lundberg

Rock Foundation, LLC (via email)
3595 Inland Empire Blvd. #2200
Ontario, CA 91764-5921
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7850 S. Dean Martin Drive Ste., 502
Las Vegas, NV 89139-6606
Attn: Carl Ross

Rossi, James L. and Naomi I.
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Templeton, CA 93465-
Attn: Susan Rossi Sommers

Rowland, James and Helen
129 Del Norte Way
San Louis Obispo, CA 93405-1507
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Big Bear Lake, CA 92315-8915
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Ruisch Trust, Dale W. and Nellie H.
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Attn: Paul Ryken

Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Newport Coast, CA 92657-1812
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777 E. Rialto Ave
San Bernardino, CA 92374-
Attn: Suzanne Pekar

San Bernardino County Service Area 29
P. O. Box 459
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
P. O. Box 5004
Victorville, CA 92393-5004
Attn: Manuel M. Benitez

San Bernardino County Service Area 70J
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22664 Little Beaver
Apple Valley, CA 92308-7438
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Service Rock Products Corporation (via email)
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Hesperia, CA 92345-
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Short, Jerome E.
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Helendale, CA 92342-0179
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Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Spring Valley Lake Country Club
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Victorville, CA 92395-5152
Attn: Mitch Brown

St. Antony Coptic Orthodox Monastery
P.O. Box 100
Barstow, CA 92311-0100
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

Sudmeier, Glenn W.
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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.
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Mission Viejo, CA 92691-4619
Attn: Matthew Merwin

Sunray Energy, Inc. (via email)
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Teisan, Jerry (via email)
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Colton, CA 92394

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(larry.ashby@mineralstech.com)

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Thompson Living Trust, R.L. and R.A.
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Apple Valley, CA 92308
Attn: Rodger Thompson

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Thunderbird County Water District
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Apple Valley, CA 92307-1105
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Triple H Partnership
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Yucaipa, CA 92399
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Turner, Terry
48550 Riverside Drive
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Udderly Gold Farms, LLC
P.O. Box 729
McFarland, CA 93250-
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Union Pacific Railroad Company
1400 Douglas Street, Stop #1690
Omaha, NE 68179-1690
Attn: Mike Sattler

Vaca, Andy and Teresita S.
5550 Avenue Juan Bautista
Riverside, CA 92509-5613

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Barstow, CA 92311-

Van Bastelaar, Alphonse
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Attn: Dean Van Bastelaar

Mojave Basin Area Watermaster's Service List as of July 21, 2011

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Vanhooops Holdings, LP (via email)
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40400 Hinkley Road
Hinkley, CA 92347
Attn: Luther Vanhoy

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

Victor Valley Community College District (via email)
18422 Bear Valley Road
Victorville, CA 92393
Attn: Chris Hylton (Hyltonc@vvc.edu)

Victor Valley Memorial Park
17150 C Street
Victorville, CA 92395-3330
Attn: Timothy M. Kurtz

Victorville Water District, ID#1 (via email)
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Mojave Basin Area Watermaster's Service List as of July 21, 2011

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