

1 **DIANA J. CARLONI (SBN 100460)**  
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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

SEP 27 2018

V. Alvarado

6 Attorney for Plaintiff, NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF RIVERSIDE

11 CITY OF BARSTOW, et al.  
12 Plaintiffs,  
13 vs.  
14 CITY OF ADELANTO, et al.  
15 Defendants,  
16 AND RELATED CROSS-ACTIONS

CASE NO: CIV 208568

DECLARATION OF DIANA J. CARLONI RE: STANDING AND THE RIGHT OF NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION TO APPEAR AND FILE THE MOTION FOR ORDER DETERMINING CASES NOT TO BE RELATED.

Hearing Information:

Date: 10/30/18

Time: 8:30 AM

Dept: 5

Before the Honorable Craig Reimer, Judge

20 DIANA J. CARLONI DECLARES:

21 I am an attorney at law duly licensed and practicing before all courts of the State of California  
22 and the attorney of record for the moving party NEWBERRY SPRINGS RECREATIONAL LAKES  
23 ASSOCIATION. The following facts are made known to me from the Stipulated Judgment in this  
24 matter and the records in this case. As public record, I believe these facts to be true and would  
25 testify thereto.

26 1. Newberry Springs Recreational Lakes Association (hereinafter the "Newberry") is  
27 an unincorporated non-profit association, registered with the state of California, Office of the  
28 Secretary of State under registration number is 14333. Newberry is an association of ten (10)

1 recreational lakes located in Newberry Springs.


2 2. Pursuant to the Stipulated Judgment in this case, "Parties" as described in Paragraph  
3 4.(v), at page 10 beginning line 26, included any person named in the action who has intervened  
4 in the case *or has become subject to this Judgment either through stipulation, default, trial or*  
5 *otherwise.* (Emphasis added).

6 3. Newberry became a party, as defined in the judgment, when it stipulated to become  
7 bound to this judgment on October 28, 2015, which stipulation was signed and approved by the  
8 court on December 30, 2015. A copy of the approved stipulation is attached hereto as Exhibit A.

9 4. Based upon the foregoing, Newberry meets the definition of a party and has the right  
10 to file the instant motion.

11 I declare under penalty of perjury of the laws of the State of California that the foregoing  
12 is true and correct, based upon my knowledge, information and belief. As to those matters  
13 testified herein based upon information and belief, I believe them to be true.

14 I have executed this declaration on the 27<sup>th</sup> day of September, 2018 at Apple Valley,  
15 California.

16   
17 \_\_\_\_\_  
18 DIANA J. CARLONI  
19 Attorney for Newberry Springs Recreational Lakes  
20 Association  
21  
22  
23  
24  
25  
26  
27  
28

**EXHIBIT**

**A**

1 William J. Brunick, Esq. (State Bar No 46289)  
2 **BRUNICK, McELHANEY & KENNEDY PLC**  
3 1839 Commercenter West  
4 San Bernardino, California 92408-3303

**NO FEE PER GOV'T. CODE SEC. 6103**

5 MAILING:  
6 P.O. Box 13130  
7 San Bernardino, California 92423-3130

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

**DEC 30 2015**

8 Telephone: (909) 889-8301  
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J. L.

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

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

14 **CITY OF BARSTOW, et al.,**  
15 **Plaintiffs,**

**CASE NO. 208568**

16 vs.

**STIPULATION FOR  
INTERVENTION AND ENTRY  
OF JUDGMENT**

17 **CITY OF ADELANTO, et al.,**  
18 **Defendants**

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

19 **AND RELATED CROSS-ACTIONS**

20 Cross-Complainant, Mojave Water Agency ("MWA"), and stipulating and intervening party,  
21 Newberry Springs Recreational Lakes Association (hereinafter referred to as "NSRLA") agrees and  
22 stipulates as follows:

23 1. On January 10, 1996, the Court entered Judgment (attached hereto as Exhibit "A") (1)  
24 in the above-entitled action declaring the Judgment Pursuant to Stipulation to be binding as against  
25 all parties.


26  
27  
28 <sup>1</sup> For the Court's convenience and to reduce the size of the Stipulations that will be filed with the Court, Exhibit "A", the Judgment After Trial dated January 10, 1996, has not been attached to the

1           2.    NSRLA was not bound by such Judgment because he had not intervened and  
2 stipulated and was not party to the Judgment attached as Exhibit "A".

3           3.    The party hereto agrees and stipulates to that Judgment attached as Exhibit "A" with a  
4 Base Annual Production Right for NSRLA of 0 acre-feet. The Judgment may be made and entered  
5 by the Court as a final Judgment binding this stipulating and intervening party in the above-entitled  
6 action.


7           4.    The court will consider the proposed stipulation at a later time. MWA shall give at  
8 least thirty (30) days' notice to party herein of said hearing. The stipulating and intervening party  
9 shall be bound by all the terms of the Judgment herein and accept the benefits thereto.

10  
11 Dated: October 28, 2015

  
Jeff Gaastra, President  
Newberry Springs Recreational Lakes Association

12  
13  
14  
15 **BRUNICK, McELHANEY & KENNEDY PLC**

16  
17 Dated: 11-10-2015

18 By:   
William J. Brunick  
Attorneys for Defendant/Cross-Complainant,  
MOJAVE WATER AGENCY

19  
20 **IT IS SO ORDERED:**

21  
22  
23 Dated: 12/11/15

Gloria Connor Trask  
Judge Gloria Connor Trask  
Superior Court of the State of California  
for the County of Riverside

24  
25  
26  
27 original Stipulation filed herewith, but is incorporated herein at every reference as though set forth in  
28 full.

## 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 September 27, 2018, 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 FOR ORDER DETERMINING CASES NOT TO BE RELATED**

**DECLARATION OF DIANA J. CARLONI RE: STANDING AND THE RIGHT OF NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION TO APPEAR AND FILE THE MOITON FOR ORDER DETERMINING CASES NOT TO BE RELATED**

**ORDER DETERMINING CASES NOT TO BE RELATED**

  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 September 27, 2018 at Apple Valley, California.

  
\_\_\_\_\_  
Valerie Wiegenstein

## Mojave Basin Area Watermaster Service List as of September 27, 2018

35250 Yermo, LLC  
11273 Palms Blvd., Ste. D.  
Los Angeles, CA 90066-2122  
Attn: Roberto Munoz

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

Adelanto, City Of  
11600 Air Expressway  
Adelanto, CA 92301-1914  
Attn: Deborah Buckingham

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

Aerochem, Inc. (via email)  
4001 El Mirage Rd.  
El Mirage, CA 92301-9489  
Attn: Kent T. Christenson  
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Agcon, Inc. (via email)  
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Attn: Lori Clifton  
(lclifton@robarenterprises.com)

Ahn Revocable Living Trust (via email)  
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Apple Valley, CA 92307-0001  
Attn: Chun Soo and Wha Ja Ahn  
(chunsooahn@naver.com)

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Attn: Simon Ahn (ssahn58@gmail.com)

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2301 Muriel Drive, Apt. 67  
Barstow, CA 92311-6757

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 Foothill County Water District  
(via email)  
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Apple Valley, CA 92308-8206  
Attn: Daniel B. Smith (avfcwd@hotmail.com)

Apple Valley Heights County Water District  
P. O. Box 938  
Apple Valley, CA 92308-0938  
Attn: Matthew Patterson

Apple Valley Unified School District  
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Apple Valley, CA 92308-7256  
Attn: Mathew Schulenberg

Apple Valley View Mutual Water Company  
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Apple Valley, CA 92307-0072  
Attn: Emely and Joe Saltmeris

Apple Valley, Town Of  
14955 Dale Evans Parkway  
Apple Valley, CA 92307-3061  
Attn: Tina Kuhns

Aqua Capital Management, LP (via email)  
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Attn: David L. Penrice  
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Arguelles, Alfredo  
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Atchison, Topeka, Santa Fe Railway Company  
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Fort Worth, TX 76131-2825  
Attn: Blaine Bilderback

Atchison, Topeka, Santa Fe Railway  
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Compton, CA 90220-3946

Bailey 2007 Living Revocable Trust, Sheré R.  
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Los Angeles, CA 90034-4664  
Attn: Sheré R. Bailey  
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Bar H Mutual Water Company (via email)  
P. O. Box 844  
Lucerne Valley, CA 92356-0844  
Attn: Daniel Shaw (barhwater@gmail.com)

Barber, James B.  
43774 Cottonwood Road  
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Bar-Len Mutual Water Company (via email)  
P. O. Box 77  
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## Mojave Basin Area Watermaster Service List as of September 27, 2018

Baron, Susan and Palmer, Curtis  
141 Road 2390  
Aztec, NM 87410-9322  
Attn: Curtis Palmer

Barstow, City of (via email)  
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Barstow, CA 92311  
Attn: Jennifer Riley (jriley@barstowca.org)

Bass Trust, Newton T.  
14924 Chamber Lane  
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Attn: Barbara Davison

Bastianon Revocable Trust  
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Apple Valley, CA 92308-9151  
Attn: Remo E. Bastianon

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

Beinschroth Family Trust  
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Apple Valley, CA 92307-5342  
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Best, Byron L.  
21461 Camino Trebol  
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Borgogno Revocable Living Trust  
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Brommer Family Trust  
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California Department Of Transportation (via email)  
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Attn: Michael P. Naze  
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CalMat Company  
405 N. Indian Hill Blvd.  
Claremont, CA 91711  
Attn: Robert W. Bowcock

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CalPortland Company - Agriculture (via email)  
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CalPortland Company - Oro Grande Plant (via email)  
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## Mojave Basin Area Watermaster Service List as of September 27, 2018

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CDFW - Mojave Narrows Regional Park  
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Cross, Sharon I.  
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Lucerne Valley, CA 92356

Crystal Lakes Property Owners Association  
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DaCosta, Dean Edward (via email)  
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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: Marie McDaniel

Desert Springs Mutual Water Company  
P. O. Box 396  
Lucerne Valley, CA 92356-0396  
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DJC Corporation  
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Attn: Magdalena Jones

Docimo Living Trust, Allen Lee  
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Newberry Springs, CA 92365-8505  
Attn: Allen Lee Docimo

Dolch, Robert and Judy  
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Donaldson, Jerry and Beverly  
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Delta, CO 81416-8501

Dora Land, Inc.  
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Apple Valley, CA 92307-0026  
Attn: Jeffery Lidman

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2027 Valleria Court  
Sugar Land, TX 77479-  
Attn: David Dorrance

Dowell, Leonard  
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Carson, CA 90745-2709

Evenson, Edwin H. and Joycelaine C.  
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Evert Family Trust (via email)  
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Federal Bureau of Prisons, Victorville (via email)  
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Fejfar, Monica Kay  
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Fernandez, Arturo (via email)  
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Ferro, Dennis and Norma  
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First CPA LLC  
46669 Valley Center Road  
Newberry Springs, CA 92365-9748  
Attn: Alex and Jerrica Liu

Fischer Revocable Living Trust (via email)  
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San Bernardino, CA 92405-3029  
Attn: Carl Fischer (carsfischer@hotmail.com;  
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Fisher Trust, Jerome R.  
7603 Hazeltine  
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Frates, D. Cole (via email)  
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Frazier, et al.  
8707 Deep Creek Rd  
Apple Valley, CA 92308-  
Attn: Martin Frazier

Friend, Joseph and Deborah  
P. O. Box 253  
Barstow, CA 92312-0253  
Attn: Deborah A. Friend

Fundamental Christian Endeavors, Inc. (via email)  
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Gabrych, Eugene  
2006 Old Highway 395  
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Gaeta, Trinidad  
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Lucerne Valley, CA 92356  
Attn: Jay Storer

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Gardena Mission Church, Inc.  
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Attn: Sang Hwal Kim

Garg, Om P.  
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Gayjikian, Samuel and Hazel  
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Attn: Eric Leuze (Eric.Leuze@nrg.com)

Golden State Water Company (via email)  
1920 W. Corporate Way  
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Golden State Water Company (via email)  
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Attn: Nereida Gonzalez  
(ana.chavez@gswater.com)

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

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

Green Acres Estates  
P. O. Box 29  
Apple Valley, CA 92307-0001  
Attn: Brian E. Bolin

Grill, Nicholas P. and Millie D. (via email)  
P. O. Box 306  
Hinkley, CA 92347-0306  
Attn: Nick Grill (terawatt@juno.com)

Gubler, Hans  
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Landers, CA 92285

Gulbranson, Merlin (via email)  
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Hinkley, CA 92347

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Hamilton Family Trust  
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Attn: Doug and Cheryl Hamilton

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

Hanify, Michael D., dba - White Bear Ranch  
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Hanson Aggregates WRP, Inc. (via email)  
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Harper Lake, LLC (via email)  
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## Mojave Basin Area Watermaster Service List as of September 27, 2018

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Helendale School District  
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Helendale, CA 92342  
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Henderson, Michael - Industrial (via email)  
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Hensley, Mark P.  
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Hert, Scott  
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Hilarides 1998 Revocable Family Trust  
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Hill Family Trust and Hill's Ranch, Inc. (via email)  
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## Mojave Basin Area Watermaster Service List as of September 27, 2018

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Lake Wainani Owners Association  
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Liang, Yuan - I and Tzu - Mei Chen  
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## Mojave Basin Area Watermaster Service List as of September 27, 2018

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Lucerne Valley Partners  
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## Mojave Basin Area Watermaster Service List as of September 27, 2018

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Attn: Dennis Hills

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## Mojave Basin Area Watermaster Service List as of September 27, 2018

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## Mojave Basin Area Watermaster Service List as of September 27, 2018

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## Mojave Basin Area Watermaster Service List as of September 27, 2018

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