

COPY

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NO FEE PER GOV'T. CODESEC. 6103

F I L E
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

OCT 01 2018

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MOJAVE WATER AGENCY

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 IN AND FOR THE COUNTY OF RIVERSIDE

11
12 CITY OF BARSTOW, et al.,)

13 Plaintiff,)

14 vs.)

15 CITY OF ADELANTO, et al.,)

16 Defendant,)

CASE NO. CIV 208568

**WATERMASTER'S LODGING OF
LETTERS RECEIVED FROM
PARTIES FROM THE BAJA
SUBAREA RELATED TO STATUS
CONFERENCE OF OCTOBER 12,
2018**

Assigned for All Purposes to:
Judge Craig Riemer
Dept. 5

**DATE: October 12, 2018
TIME: 1:30 p.m.
DEPT: 5**

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19
20
21 AND RELATED CROSS ACTIONS)
22

23
24 PLEASE TAKE NOTICE THAT pursuant to the Court's direction in its status conference
25 order dated July 9, 2018, Watermaster agreed to file the attached letters received from Parties. All
26 letters were required to be submitted by September 19, 2018. Watermaster filed letters with the Court
27 on September 27, 2018. Additional letters were received on September 28, 2018 and are attached.

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Dated: October 1, 2018

BRUNICK, McELHANEY & KENNEDY PLC

BY: WJ Brunick
WILLIAM J. BRUNICK, ESQ.
LELAND P. McELHANEY, ESQ.
Attorneys for Defendant/Cross-Complainant,
MOJAVE WATER AGENCY

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- 1. Letter received from Newberry Springs Hi-Desert Pistachio Association--September 28, 2018
- 2. Letter received from Daggett Community Services District.--September 28, 2018

ATTACHMENT 1

NEWBERRY SPRINGS HI-DESERT
PISTACHIO ASSOCIATION

48084 Fairview Rd.
Newberry Springs, CA 92365
760-257-3299
jimel1983@gmail.com



September 18, 2018
Honorable Crain Riemer
Superior Court of California
County of Riverside Dept. 5
4050 Main Street
Riverside, CA 92501

RECEIVED
COAAVE WATER AGENCY
18 SEP 28 PM 3:56

RE: City of Barstow v City of Adelanto
Case No: CIV208568

Dear Your Honor,

My Name is Ellen Johnson, I have been president of the Newberry Springs Hi-Desert Pistachio Association for approx. 20 years now. When water was allocated between 1986-90 all of the orchards were small and some had been just planted. What they were given for water was an unrealistic amount that could not sustain a tree as they matured. This went against Bookman and Edmonton, one of the engineer firms involved in the drafting committee that used a figure of 3 ¼ to 3 ½ ac. ft., what the people got was around 1 ¼ ac. ft. People didn't understand the process, that there could be continual rampdowns beyond 80% for them as they used very little water. We had a co-op and a processing plant at one time, these both are out of business now. A Pistachio needs to be processed within 24-36 hours after harvesting or they start degrading. Without the processing plant locally it is a 400 mile round trip to the nearest one, north of Bakersfield. The local processing plant needed an appraisal due to a death in the family. An Agriculture appraiser came down from up north only to find that there was no floor on the rampdowns along with they never got enough water to begin with. The result was they couldn't put a value on the property, banks or people won't invest if they can't project. The margin of making a profit is so small, if at all, it's not feasible to purchase water when it's continually being ramp down. Another problem is we have stipulators going below the 10 ac. ft. of what a minimal producer is entitled to, this has cause division amongst the people. There is

no groundwater management agency in Baja. The state says "In those circumstances where a local groundwater management agency is not managing its groundwater sustainably, the state needs to protect the resource until it is determined that a local groundwater management agency can sustainably manage the groundwater basin or sub basin." From the beginning the county and M.W.A. have not been on the same page. M.W.A. has continuously told the people that they don't want the state involved, we disagree it's time for the state to intervene. Verified MWA Answer To Adelanto Petition, page 23 FIFTEENTH AFFIRMATIVE DEFENSE "Answering Parties are informed and believe, and on that basis allege, that Adelanto is guilty of waste because it has no water conservation program." We believe before anymore rampdowns on the people that are not the problem, Baja should have a conservation program.

The Pistachio association is no longer viable and will probably be resolved in the near future. Judge Kaiser said that he was never going to put anyone out of business, we understood this to be a promise. This should of never gone on this long with no resolve, this has not been effective water management and in the case of Baja, a rape! The people didn't create this and shouldn't be told that it's up to them to fix their sub-basin (judgment page 26 paragraph 23) whoever wrote this wasn't considering that someone might take it literally that they are the water police. Water being a highly emotional topic for many people, then to be told that it's their responsibility to fix it, when you have San Bernardino County, Mojave Water Agency, Fish and Wildlife and other agencies involved, this is not realistic and irresponsible, this paragraph should be taken out of the judgment and rethought before something happens, that could be considered extremely personal. Policing is the job of government, not the people.

Your consideration is appreciated.

Ellen Johnson

ATTACHMENT 2

RECEIVED
MOJAVE WATER AGENCY
18 SEP 28 PM 3:55

Honorable Craig Riemer
Department 5
Superior Court of the State of California
Riverside CA

September 28, 2018

Subject: Case CIV 208568

Dear Sir:

Thank you for listening to us. We are Daggett CSD and Water Company. We would like to be restored to our original base annual production (235 ac ft.). In doing this, we will be able to provide our 196 connections with the water they use today, which was the same as they used in 1995. This is shown on the Appendix B copies. If the above cannot be done, there is no reason to continue reading. If the above is any way possible, then please continue reading.

We have two small parks and a fire department. We also supply water to Silver Valley High School, AM/PM, Jack in the Box, Chevron and Shell Stations, Penny's Diner, Oak Tree Inn, and Mohsen Truck Stop off of Interstate 15.

We, as a disadvantaged Community, do not have the funds to purchase permanent water, but why should we have to? We cannot disc up houses like alfalfa growers disc up fields. We have not increased our production since 1995. We don't have housing tracts coming in. There are people with production allowances that have no verified production. Why?

I, Harry Hiatt, would like permission to speak in court on these subjects.

Sincerely,

Harry Lee Hiatt
Board Director

President Kareen Golden

Vice President Mark Staggs

Board Director Robert Whipple

Board Director Sally Vintus

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 October 1, 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:

**WATERMASTER'S LODGING OF LETTERS RECEIVED FROM PARTIES FROM THE
BAJA SUBAREA RELATED TO STATUS CONFERENCE OF OCTOBER 12, 2018**

 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 October 1, 2018 at Apple Valley, California.



Valerie Wiegenstein

Mojave Basin Area Watermaster Service List as of October 01, 2018

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

Abshire, David V.
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Lucerne Valley, CA 92356-2059
Attn: John McCallum

Adelanto, City Of
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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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Hesperia, CA 92345-4902
Attn: Lori Clifton
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Ahn Revocable Living Trust (via email)
P. O. Box 45
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Ahn Revocable Trust (via email)
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Ahn, Chun Soo and Wha Ja (via email)
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Ake, Charles J. and Marjorie M.
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Barstow, CA 92311-6757

American States Water Company
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Anaheim, CA 92801-5373
Attn: Ana Chavez

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

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(via email)
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Attn: Daniel B. Smith (avfcwd@hotmail.com)

Apple Valley Heights County Water District
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Apple Valley, CA 92308-0938
Attn: Matthew Patterson

Apple Valley Unified School District
12555 Navajo Road
Apple Valley, CA 92308-7256
Attn: Mathew Schulenberg

Apple Valley View Mutual Water Company
P. O. Box 3680
Apple Valley, CA 92307-0072
Attn: Emely and Joe Saltmeris

Apple Valley, Town Of
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Attn: David L. Penrice
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Aqua Capital Management, LP-Industrial (via
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Arguelles, Alfredo
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Attn: Angel Arguelles

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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Attn: Dean Forshee (Dean.Forshee@bnsf.com)

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(LegalPeopleService@gmail.com)

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Lucerne Valley, CA 92356-0844
Attn: Daniel Shaw (barhwater@gmail.com)

Barber, James B.
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Newberry Springs, CA 92365

Bar-Len Mutual Water Company (via email)
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(barlenwater@hotmail.com)

Mojave Basin Area Watermaster Service List as of October 01, 2018

Baron, Susan and Palmer, Curtis
141 Road 2390
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Barstow, City of (via email)
220 East Mountain View Street -Suite A
Barstow, CA 92311
Attn: Jennifer Riley (jriley@barstowca.org)

Bass Trust, Newton T.
14924 Chamber Lane
Apple Valley, CA 92307-4912
Attn: Barbara Davison

Bastianon Revocable Trust
9484 Iroquois Rd.
Apple Valley, CA 92308-9151
Attn: Remo E. Bastianon

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

Beinschroth Family Trust
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Apple Valley, CA 92307-5342
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Bell, Chuck (via email)
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Lucerne Valley, CA 92356-0193
(chuckb@sisp.net)

Best, Byron L.
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Winchester, CA 92596-8793
Attn: Roberta Borgogno

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Riverside, CA 92508-

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Bracht, William F. and Alexander, Alicia M.
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Calico Lakes Homeowners Association (via email)
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Attn: Jason Kratz (Jason.Kratz@associa.us)

California Department Of Transportation (via email)
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Claremont, CA 91711
Attn: Robert W. Bowcock

CalMat Company
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Attn: Carol Deck (cdeck@calportland.com)

Mojave Basin Area Watermaster Service List as of October 01, 2018

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Attn: Kevin Mangold

CDFW - Camp Cady (via email)
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Alisa.Ellsworth@wildlife.ca.gov)

CDFW - Mojave Narrows Regional Park
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Attn: AJ Gerber

CDFW - Mojave River Fish Hatchery (via email)
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Attn: Carin McKay

Chafa, Larry R. and Delinda C.
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Ronan, MT 59864-0796
Attn: Allene Rozell Cherie Krack

Chamisal Mutual Water Company
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El Mirage, CA 92301-9500
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Conner, William H.
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Cross, Francis and Beverly
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Mojave Basin Area Watermaster Service List as of October 01, 2018

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Newberry Springs, CA 92365
Attn: Randy Wagner

Desert Dawn Mutual Water Company
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Lucerne Valley, CA 92356-0392
Attn: Marie McDaniel

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

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Lucerne Valley, CA 92356-7706
Attn: Magdalena Jones

Docimo Living Trust, Allen Lee
48275 Silver Valley Road
Newberry Springs, CA 92365-8505
Attn: Allen Lee Docimo

Dolch, Robert and Judy
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Attn: Larry Warren

Donaldson, Jerry and Beverly
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Dora Land, Inc.
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Apple Valley, CA 92307-0026
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Dorrance, David W. and Tamela L.
2027 Valleria Court
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Attn: David Dorrance

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Evenson, Edwin H. and Joycelaine C.
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Newberry Springs, CA 92365-9791

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Ferro, Dennis and Norma
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Jacksonville Beach, FL 32250-3512

First CPA LLC
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Newberry Springs, CA 92365-9748
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Fischer Revocable Living Trust (via email)
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San Bernardino, CA 92405-3029
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fischer@fishercompanies.com)

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Attn: Paul Johnson

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(cfrates@renewablegroup.com)

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)
49191 Cherokee Road
Newberry Springs, CA 92365
Attn: Mark Asay (bettybrock@ironwood.org;
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Fallbrook, CA 92028

Gabrych, Eugene
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Mojave Basin Area Watermaster Service List as of October 01, 2018

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Newberry Springs, CA 92365-
Attn: Mitch Hammack

Gaeta, Miguel and Maria
9366 Joshua Avenue
Lucerne Valley, CA 92356-8273

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

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Long Beach, CA 90803-7006
Attn: Bruce Gaines (bgaines4@verizon.net)

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9773 Summerhill Rd.
Alta Loma, CA 91737-1668

Gardena Mission Church, Inc.
P. O. Box 304
Lucerne Valley, CA 92356-0304
Attn: Sang Hwal Kim

Garg, Om P.
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Irvine, CA 92618-1050

Gayjikian, Samuel and Hazel
12019 Kalnor Ave
Norwalk, CA 90650-
Attn: Brent Peterson

GenOn Energy, Inc. (via email)
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San Francisco, CA 94111-4506
Attn: Eric Leuze (Eric.Leuze@nrg.com)

Golden State Water Company (via email)
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Attn: Nereida Gonzalez
(ana.chavez@gswater.com,
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Golden State Water Company (via email)
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Lucerne Valley, CA 92356-1035
Attn: Denise Johnson

Gray, George F. and Betty E.
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Green Acres Estates
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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
P. O. Box 3100
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Gulbranson, Merlin (via email)
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Gilbert, MN 55741-
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Gutierrez, Jose and Gloria
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Attn: Bryan C. Haas and Mary H. Hinkle
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Haas, Bryan C. and Hinkle, Mary H. (via email)
14730 Tigertail Road
Apple Valley, CA 92307-5249
Attn: Bryan C. Haas and Mary H. Hinkle
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Mojave Basin Area Watermaster Service List as of October 01, 2018

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Mojave Basin Area Watermaster Service List as of October 01, 2018

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Mojave Basin Area Watermaster Service List as of October 01, 2018

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Mojave Basin Area Watermaster Service List as of October 01, 2018

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