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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

OCT 01 2018

D. Williams

1 DIANA J. CARLONI (SBN 100460)
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Apple Valley, CA 92307
3 Telephone: (760) 946-9910
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5
6 Attorney for Plaintiff, NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION
7

8
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)
17

CASE NO: CIV 208568

DECLARATION OF DIANA J. CARLONI RE: STANDING AND THE RIGHT OF NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION TO APPEAR AND RESPOND TO THE STATUS CONFERENCE ORDER OF JULY 9, 2018.

Hearing Information:
Date: October 12 2018
Time: 1:30 PM
Dept: 5
Before the Hon. Craig G. Riemer, Judge

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19
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 association, registered with the state of California, Office of the Secretary of
28 State under registration number is 14333. Newberry is an association of ten (10) recreational

1 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 27th 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

COPY

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

J. L.

8 Telephone: (909) 889-8301
9 Facsimile: (909) 388-1889

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,
16 vs.
17 CITY OF ADELANTO, et al.,
18 Defendants

CASE NO. 208568

**STIPULATION FOR
INTERVENTION AND ENTRY
OF JUDGMENT**

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.

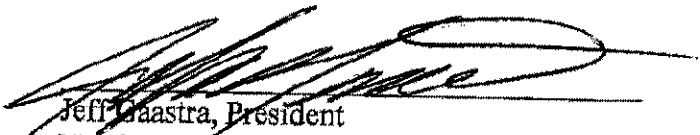
26
27
28 ¹ For the Court's convenience and to reduce the size of the Stipulations that will be filed with the
Court, Exhibit "A", the Judgment After Trial dated January 10, 1996, has not been attached to the

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 Blaasra, President
Newberry Springs Recreational Lakes Association

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.

1 DIANA J. CARLONI (SBN 100460)
2 Attorney at Law
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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

OCT 01 2018

D. Williams

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
13 Plaintiffs,

14 vs.

15 CITY OF ADELANTO, et al.
16 Defendants,

17 AND RELATED CROSS-ACTIONS

CASE NO: CIV 208568
PROOF OF SERVICE

Hearing Information:
Date: October 12 2018
Time: 1:30 PM
Dept: 5
Before the Hon. Craig G. Riemer, Judge

19 I, JACKIE J. GRAY, DECLARE:

28 ///

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28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of 18 and not a party to the within action. My business address is 16195 Siskiyou Rd., Suite 130, Apple Valley, CA 92307.

On October 1, 2018, I served the within documents described as NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION BRIEF IN RESPONSE TO THE STATUS CONFERENCE ORDER OF JULY 9, 2018; DECLARATION OF DR. W. RICHARD LATON, PG, Chg; DECLARATION OF DIANA J. CARLONI RE: STANDING AND THE RIGHT OF NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION TO APPEAR AND RESPOND TO THE STATUS CONFERENCE ORDER OF JULY 9, 2018; DECLARATION OF DR. W. RICHARD LATON, PG, Chg - SUPPLEMENTING THE RESPONSE OF NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION TO THE STATUS CONFERENCE ORDER OF JULY 9, 2018, on the interested parties in this action, as follows:

By email or electronic transmission to the Watermaster and its counsel at the e-mail addresses listed below, and I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful;

By messenger service to the Watermaster; I served the documents by emailing them Bosco Legal Services, a professional messenger service for service; A Declaration of Messenger will subsequently be filed; and Via, Watermaster to all parties to the action, pursuant to the Judgment of this case and the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B which provides that service to be the responsibility of the Watermaster and paragraph 10.D, which provides that a party's service obligation is satisfied upon delivery of a copy of the conformed documents as filed with the Court. As of today, the Watermaster has not set a service fee. Per the Watermaster's request, I will cause a check to be delivered to Watermaster upon being notified of the Watermaster's service costs.

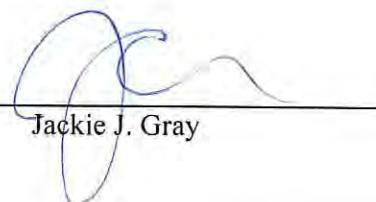
Mojave Basin Area Watermaster
c/o Valerie L. Wiegstein,
Watermaster Services Manager
13846 Conference Center Drive Apple Valley, CA 92307-4377
watermaster@mojavewater.org

BY MAIL. I caused such envelope, as indicated on the addresses noted above and/or the attached service list, with postage thereon fully prepaid to be placed in the United States mail at San Bernardino, California. I am readily familiar with the firm's business practice for collection and processing of correspondence for mailing with the United States Postal Service and that the foregoing document was placed for collection and mailing in accordance with ordinary business practices pursuant to *Code of Civil Procedure*, Section 1013a.

William J. Burnick Leland P. McElhaney
Brunick, McElhaney & Kennedy PLC
1839 Commercenter West
San Bernardino, CA 92408-3303
bbrunick@bmbllawoffice.com

(State) I declare under penalty of perjury pursuant to the laws of the State of California that the above is true and correct.

Executed on October 1, 2018, at Apple Valley, California.

By: 
Jackie J. Gray

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:


**NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION BRIEF IN
RESPONSE TO THE STATUS CONFERENCE ORDER OF JULY 9, 2018;
DECLARATION OF DR. W. RICHARD LATON, PG, Chg.**

**DECLARATION OF DR. W. RICHARD LATON, PG, Chg. SUPPLEMENTING THE
RESPONSE OF NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION TO
THE STATUS CONFERENCE ORDER OF JULY 9, 2018**

**DECLARATION OF DIANA J. CARLONI RE: STANDING AND THE RIGHT OF
NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION TO APPEAR AND
RESPOND TO THE STATUS CONFERENCE ORDER OF JULY 9, 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.
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
(Kchristensen@ducommun.com)

Agcon, Inc. (via email)
17671 Bear Valley Road
Hesperia, CA 92345-4902
Attn: Lori Clifton
(lclifton@robarenterprises.com)

Ahn Revocable Living Trust (via email)
P. O. Box 45
Apple Valley, CA 92307-0001
Attn: Chun Soo and Wha Ja Ahn
(chunsooahn@naver.com)

Ahn Revocable Trust (via email)
29775 Hunter Road
Murrieta, CA 92563-6710
Attn: Simon Ahn (ssahn58@gmail.com)

Ahn, Chun Soo and David (via email)
19130 San Jacinto Way
Apple Valley, CA 92308-6748
Attn: David Ahn (davidahnmd@gmail.com,
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Ahn, Chun Soo and Wha Ja (via email)
P. O. Box 45
Apple Valley, CA 92307-0001
Attn: Chun Soo Ahn
(chunsooahn@naver.com)

Ake, Charles J. and Marjorie M.
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)
22545 Del Oro Road
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
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
14955 Dale Evans Parkway
Apple Valley, CA 92307-3061
Attn: Tina Kuhns

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Attn: David L. Penrice
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Aqua Capital Management, LP-Agriculture
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Aqua Capital Management, LP-Industrial (via
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Attn: David L. Penrice
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Archibek, Eric
41717 Silver Valley Road
Newberry Springs, CA 92365-9517

Arguelles, Alfredo
48001 Silver Valley Road
Newberry Springs, CA 92365
Attn: Angel Arguelles

Atchison, Topeka, Santa Fe Railway Company
2301 Lou Menk Drive, GOB-3W
Fort Worth, TX 76131-2825
Attn: Blaine Bilderback

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

Avila, Angel and Evalia
1523 S. Visalia
Compton, CA 90220-3946

Bailey 2007 Living Revocable Trust, Sheré R.
(via email)
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Attn: Sheré R. Bailey
(LegalPeopleService@gmail.com)

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
Newberry Springs, CA 92365

Bar-Len Mutual Water Company (via email)
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Barstow, CA 92312-0077
Attn: Casey Slusser
(barlenwater@hotmail.com)

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

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

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
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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
18794 Sentenac Road
Apple Valley, CA 92307-5342
Attn: Mike Beinschroth

Bell, Chuck (via email)
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Lucerne Valley, CA 92356-0193
(chuckb@sisp.net)

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

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

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

Box, Geary S. and Laura
P. O. Box 402564
Hesperia, CA 92340-2564

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

Brommer Family Trust
9435 Strathmore Lane
Riverside, CA 92509-0941
Attn: Marvin and Carroll Brommer

Brown, Bobby G. and Valeria R.
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Helendale, CA 92342-9789
Attn: Paul Johnson

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Brown, Sue and Doug
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El Mirage, CA 92301

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Budget Finance Company
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Fountain Valley, CA 92708-5536

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San Bernardino, CA 92410-4741
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Calico Junction (via email)
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Barstow, CA 92312-1923
Attn: Harvey J. Walker Jr.
(harvwalker@hotmail.com)

Calico Lakes Homeowners Association (via email)
11860 Pierce Street, Suite 100
Riverside, CA 92505-5178
Attn: Jason Kratz (Jason.Kratz@associa.us)

California Department Of Transportation (via email)
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San Bernardino, CA 92401-1407
Attn: Michael P. Naze
(michael.naze@dot.ca.gov)

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

CalMat Company
405 N. Indian Hill Blvd.
Claremont, CA 91711-4614
Attn: Robert W. Bowcock

CalPortland Company - Agriculture (via email)
2025 East Financial Way
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Attn: Carol Deck (cdeck@calportland.com)

CalPortland Company - Oro Grande Plant (via email)
2025 East Financial Way
Glendora, CA 91741-4692
Attn: Carol Deck (cdeck@calportland.com)

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

Camanga, Tony and Marietta
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Campbell, M. A. and Dianne
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Carlton, Susan
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Yemro, CA 92398-0193

Casa Colina Foundation
P.O. Box 1760
Lucerne Valley, CA 92356
Attn: Kevin Mangold

CDFW - Camp Cady (via email)
78078 County Club Drive 109
Bermuda Dunes, CA 92203-
Attn: Eddy Konno
(Eddy.Konno@wildlife.ca.gov;
Alisa.Ellsworth@wildlife.ca.gov)

CDFW - Mojave Narrows Regional Park
777 East Rialto Avenue
San Bernardino, CA 92415-0763
Attn: AJ Gerber

CDFW - Mojave River Fish Hatchery (via email)
12550 Jacaranda Avenue
Victorville, CA 92395-5183
Attn: Forrest Williams
(greg.williams@wildlife.ca.gov;
rebecca.jones@wildlife.ca.gov)

Cemex, Inc. (via email)
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Victorville, CA 92394-2999
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Center Water Company
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Lucerne Valley, CA 92356-0616
Attn: Carmen Fox

CF Properties, LLC
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Pismo Beach, CA 93449-2705
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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Attn: Mary M Ross

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Choi, Yong Il and Joung Ae
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Christison, Joel
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Chung, et al.
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Lucerne Valley, CA 92356-8792
Attn: Hwa-Yong Chung

Clark, Arthur
13603 Cabrillo Ct.
Fontana, CA 92336-3451

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
Barstow, CA 92311

Corbridge, Linda S.
8743 Vivero St
Rancho Cucamonga, CA 91730-
Attn: George Starke

Cross, Francis and Beverly
156 W 100 N
Jerome, ID 83385-5256

Cross, Sharon I.
P. O. Box 922
Lucerne Valley, CA 92356

Crystal Lakes Property Owners Association
P. O. Box 351
Yermo, CA 92398
Attn: Alessia Morris

DaCosta, Dean Edward (via email)
32307 Foothill Road
Lucerne Valley, CA 92356-8526
(dacostadean@gmail.com)

Daggett Community Services District (via email)
P. O. Box 308
Daggett, CA 92327
Attn: Daniel Lowe (daggettsd@outlook.com)

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

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

Dahlquist, George R. (via email)
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Sun Valley, CA 91352-
(ron@sc-studios.com;
ron@dadcopowerandlights.com)

Darr, James S.
40716 Highway 395
Boron, CA 93516

De Jong Family Trust
46561 Fairview Road
Newberry Springs, CA 92365-9230
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: Marie McDaniel

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

DJC Corporation
35300 Old Woman Springs Road
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
15760 Stoddard Wells Road
Victorville, CA 92395-2846
Attn: Larry Warren

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

Dora Land, Inc.
P. O. Box 1405
Apple Valley, CA 92307-0026
Attn: Jeffery Lidman

Dorrance, David W. and Tamela L.
2027 Valleria Court
Sugar Land, TX 77479-
Attn: David Dorrance

Dowell, Leonard
345 E Carson St.
Carson, CA 90745-2709

Evenson, Edwin H. and Joycelaine C.
P. O. Box 66
Oro Grande, CA 92368-0066

Evert Family Trust (via email)
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Villa Park, CA 92861-1302
Attn: Stephanie L. Evert
(severt2166@aol.com)

Eygnor, Robert E.
23032 Bryman Road
Oro Grande, CA 92368-9642

Federal Bureau of Prisons, Victorville (via email)
P. O. Box 5400
Adelanto, CA 92301-5400
Attn: David Dittenmore
(d2dittenmore@bop.gov)

Fejfar, Monica Kay
34080 Ord Street
Newberry Springs, CA 92365-9791

Fernandez, Arturo (via email)
1001 French Street, Apt. 2
Santa Ana, CA 92701-3769
(afc30@yahoo.com)

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

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

Fischer Revocable Living Trust (via email)
1372 West 26th St.
San Bernardino, CA 92405-3029
Attn: Carl Fischer (carsfischer@hotmail.com;
fischer@fishercompanies.com)

Fisher Trust, Jerome R.
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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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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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