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Attorneys for Defendants
PHELAN PIÑON HILLS COMMUNITY
SERVICES DISTRICT, MOJAVE ADJUDICATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

CITY OF BARSTOW, et al.,
Plaintiffs,

v.

CITY OF ADELANTO, et al.,
Defendants.

AND RELATED CROSS ACTIONS.

Case No. CIV 208568

**DECLARATION OF DON BARTZ IN
SUPPORT OF THE SUPPLEMENTAL
STATEMENT TO THE MOJAVE BASIN
AREA WATERMASTER TWENTY-
SEVENTH ANNUAL REPORT AND
MOTION TO ADJUST FREE
PRODUCTION ALLOWANCE FOR
WATER YEAR 2021-2022.**

Judge: Hon. Craig G. Reimer
Dept.: 1

I, DON BARTZ, declare:

1. I am the General Manager for Phelan Piñon Hills Community Services District ("Phelan Piñon Hills"). I make this Declaration regarding the Mojave Basin Area Watermaster's Twenty-Seventh Annual Report and Motion to Adjust Free Production Allowance for Water Year 2021-2022. If called upon as a witness, I would testify competently to the following of my personal knowledge, except as to those matters stated upon information and belief, which I believe to be true.

2. As General Manager, I serve as Phelan Piñon Hills' chief executive officer. I have been employed by Phelan Piñon Hills since its formation in 2008. I am responsible for the

CIV 208568

DECLARATION OF DON BARTZ IN SUPPORT OF SUPPLEMENTAL STATEMENT
TO MOJAVE WATERMASTER ANNUAL REPORT AND MOTION TO ADJUST FPA

1 implementation of the policies adopted by the elected Board of Directors and I oversee the
2 business and operation of Phelan Piñon Hills. Prior to that time, I worked in similar capacities as a
3 general manager for public water suppliers. Over the course of my career, including my ongoing
4 tenure with Phelan Piñon Hills, I have become very familiar with operations, maintenance and
5 expenses of water systems, including groundwater production wells that are part of a water
6 system. As part of those experiences, I have been exposed to groundwater adjudications during my
7 tenure with Phelan Piñon Hills, the Antelope Valley Groundwater Basin on the Los Angeles
8 County side of the county line and the Mojave Basin. I am familiar with the judgment for the
9 Mojave Basin and I have had regular interactions with Mojave Water Agency as the Watermaster.
10 Also over the course of my career, I have become very familiar with water-industry customs and
11 practice for providing water services to the public, as well as related economic needs and impacts
12 as water supplies are treated or transacted with purchasing or selling water rights or supplies.

13 3. In my capacity as General Manager for Phelan Piñon Hills, I have personally
14 witnessed numerous unauthorized operations involving the cultivation of cannabis within the
15 Oeste Sub-Area. Attached with this Declaration are photographs of such unauthorized operations
16 that were taken and are currently under my possession and control. These operations continue to
17 spread rampantly throughout the Mojave Basin area and bring with them many adverse
18 consequences to the authorized water users in the Basin – chiefly, that many of these operations
19 rely on unauthorized water diversions and extractions.

20 4. Imposing a rampdown to 60% FPA would adversely impact Phelan Piñon Hills for
21 its planning purposes and mid- to long-term water supply needs because infrastructure connecting
22 Phelan Piñon Hills to the Watermaster facilities for additional water supplies does not exist.

23 I declare under penalty of perjury under the laws of the State of California that the
24

25 [INTENTIONALLY BLANK]
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foregoing is true and correct.

Executed on this 20th day of May, 2021 at Phelan, California.

DATED: 5/20, 2021

BY: 

Don Bartz
PHELAN PIÑON HILLS COMMUNITY
SERVICES DISTRICT, MOJAVE
ADJUDICATION

EXHIBIT A













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PROOF OF SERVICE

(CODE CIV. PROC. § 1013A(3))

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

I am employed in the County of Sacramento, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 2151 River Plaza Drive, Suite 300, Sacramento, California 95833-4130.

On May 20, 2021, I served the following 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: **DECLARATION OF DON BARTZ IN SUPPORT OF THE SUPPLEMENTAL STATEMENT TO THE MOJAVE BASIN AREA WATERMASTER TWENTY-SEVENTH ANNUAL REPORT AND MOTION TO ADJUST FREE PRODUCTION ALLOWANCE FOR WATER YEAR 2021-2022** on the interested parties in this action as follows:

SERVICE LIST ATTACHED

- ☒ **BY EMAIL:** My electronic service address is 2151 River Plaza Drive, Suite 300, Sacramento, California 95833-4130. Based on a written agreement of the parties pursuant to California Code of Civil Procedure § 1010.6 to accept service by electronic means, at , I sent such document(s) to the email address(es) listed above or on the attached Service List. Such document(s) was scanned and emailed to such recipient(s) and email confirmation(s) will be maintained with the original document in this office indicating the recipients' email address(es) and time of receipt pursuant to CCP § 1013(a).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 20, 2021, at Sacramento, California.



Elena Barnett

Mojave Basin Area Watermaster Service List as of April 28, 2021

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ccarlson@helendalecsd.org)
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email)
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Helendale, CA 92342-0359

Attn: Joshua Behnke
Helendale School District
P. O. Box 249
Helendale, CA 92342-0249

Attn: Jeff Gallistel
Hendley, Rick and Barbara
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Yermo, CA 92398-0972

Hensley, Mark P.
35523 Mountain View Rd
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Hert, Scott
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Hesperia - Golf Course, City of (via email)
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Hesperia, CA 92345-3493

Attn: Janie Martines
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Hesperia, CA 92345-3493

Attn: Jeremy McDonald
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Hiett, Harry L. (via email)
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Claremont, CA 91711-4614

Attn: Lori Clifton
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Hi-Grade Materials Company (via email)
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Newberry Springs, CA 92365

Attn: Katherine Hill (Khill9@comcast.net)
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Hood Family Trust
2142 W Paseo Del Mar
San Pedro, CA 90732-4557

Attn: Gretchen Horton
Horton, John
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Attn: Gretchen Horton
Horton's Children's Trust
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Attn: Norman A. Howard
Howard, et al.
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Mt. Carmel, UT 84755-5528

Attn: Ester Hubbard
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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Attn: James Jackson Jr.
Jackson, James N. Jr Revocable Living Trust
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Attn: Lawrence Dean
Jackson, Ray Revocable Trust No. 45801
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Attn: Audrey Goller
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906 Old Ranch Road
Florissant, CO 80816-

Johnson, Carlean
8626 Deep Creek Road
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Johnson, Ronald
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Dammeron Valley, UT 84783-5211

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Johnston, Harriet and Johnston, Lawrence W.
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Jones, Joette
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Juniper Riviera County Water District
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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Attn: Sepoong & Woo Poong Lee
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Attn: Brad Francke
LHC Alligator, LLC
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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Mojave Basin Area Watermaster Service List as of April 28, 2021

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9154 Golden Seal Court
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Attn: Pearl or Gail Nunn
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Attn: Craig Maetzold McCullers
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Attn: Carin McKay
Precision Investments Services, LLC
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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Attn: Sara Fortuna (sarajfortuna@gmail.com;
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Saba Family Trust dated July 24, 2018 (via
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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Daggett Ranch, LLC
P. O. Box 112
Daggett, CA 92327-0112

Attn: Beahta Davis
CDFW - Mojave Narrows Regional Park
777 E. Rialto Avenue
San Bernardino, CA 92415-1005

Attn: Mary Tarrab
Center Water Company
P. O. Box 616
Lucerne Valley, CA 92356-0616

Attn: Carl Pugh (cpugh3@aol.com)
Cheyenne Lake, Inc. (via email)
44658 Valley Center Rd
Newberry Springs, CA 92365-

Christison, Joel
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CDFW - Mojave River Fish Hatchery (via
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Chafa, Larry R. and Delinda C.
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Ronan, MT 59864-0796

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

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Corbridge, Linda S.
8743 Vivero St
Rancho Cucamonga, CA 91730-

Attn: Jay Hooper (jayho123@gmail.com)
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Attn: Crystal Romero
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Daggett Community Services District (via
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Daggett, CA 92327-0308

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Mojave Basin Area Watermaster Service List as of April 28, 2021

Attn: Alan L. De Jong
De Jong Family Trust
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Newberry Springs, CA 92365-9230

Attn: Randy Wagner
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44579 Temescal Street
Newberry Springs, CA 92365

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

Attn: Zaritsky Penny
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Desert Girlz LLC (via email)
10757 Lincoln Road
Lucerne Valley, CA 92356-7

Attn: Denise Courtney
Desert Springs Mutual Water Company
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Attn: Debby Wyatt
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Apple Valley, CA 92307-5525

Attn: Judith Dolch-Partridge, Trustee
Dolch Living Trust Robert and Judith
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16736 B Road
Delta, CO 81416-8501

Attn: Jeffery Lidman
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Apple Valley, CA 92307-0026

Attn: David Dorrance
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2027 Valleria Court
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Carson, CA 90745-2709

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Gabrych, Eugene
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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Garg, Om P.
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Attn: Brent Peterson
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San Dimas, CA 91773-5121

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Adelanto, CA 92301-9308

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Mojave Basin Area Watermaster Service List as of April 28, 2021

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email)
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Helendale, CA 92342-0359

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Helendale School District
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Helendale, CA 92342-0249

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Attn: Jeremy McDonald
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Attn: Katherine Hill (Khill9@comcast.net)
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Ho, Ting-Seng and Ah-Git
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Attn: Paul Hong
Hong, Paul B. and May
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Covina, CA 91722-0432

Attn: Sandra D. Hood
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2142 W Paseo Del Mar
San Pedro, CA 90732-4557

Attn: Gretchen Horton
Horton, John
47716 Fairview Road
Newberry Springs, CA 92365-9258

Attn: Gretchen Horton
Horton's Children's Trust
47716 Fairview Road
Newberry Springs, CA 92365-9258

Attn: Norman A. Howard
Howard, et al.
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Mt. Carmel, UT 84755-5528

Attn: Ester Hubbard
Hubbard, Ester and Mizuno, Arlean
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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Italmood Inc., et. al. (via email)
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Attn: James Jackson Jr.
Jackson, James N. Jr Revocable Living Trust
1245 S. Arlington Avenue
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Attn: Lawrence Dean
Jackson, Ray Revocable Trust No. 45801
P.O. Box 8250
Redlands, CA 92375-1450

Attn: Audrey Goller
(linda.rainer@newportpacific.com)
Jamboree Housing Corporation (via email)
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Jess Ranch Water Company (via email)
906 Old Ranch Road
Florissant, CO 80816-

Johnson, Carlean
8626 Deep Creek Road
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Dammeron Valley, UT 84783-5211

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Johnston, Harriet and Johnston, Lawrence W.
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Hesperia, CA 92340-1472

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Jones Trust dated March 16, 2002 (via email)
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Jones, Joette
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Indio, CA 92201-5329

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Jordan Family Trust
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Attn: Ray Gagné
Jubilee Mutual Water Company
P. O. Box 1016
Lucerne Valley, CA 92356

Attn: Lee Logsdon
Juniper Riviera County Water District
P. O. Box 386
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Karimi, Hooshang
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Kasner, Robert (via email)
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Kemp, Robert and Rose
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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Attn: Brad Francke
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Attn: Billy Liang
Liang, Yuan - I and Tzu - Mei Chen
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Lee, Doo Hwan
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Lucerne Valley, CA 92356-

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Lucerne Valley, CA 92356

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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Attn: Nichola Hawes Stein
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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Mojave Basin Area Watermaster Service List as of April 28, 2021

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Mojave Basin Area Watermaster Service List as of April 28, 2021

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No	CIV	Civil	Riverside	
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Exempt Pursuant to G.C. §6103				
Filing as an Attorney	Bar Number	Attorney for		
Yes	241283	Defendant, Helendale Community Service District		
Documents				
1 Substitution of Attorney				
2 Supplemental Statement and Motion to Adjust Free Production Allowance				
3 Declaration of Don Bartz				
4 Declaration of Kimberly Cox				
5 Declaration of Kelly Gregg				
6 Joinder to Motion				
Notes / Special Instructions				
IMPORTANT: This document serves as a confirmation of delivery only and the submitted documents have not yet been processed and/or filed by the Superior Court of California, County of Riverside.				

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.

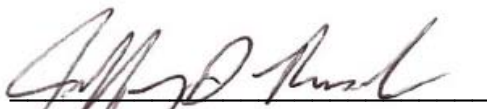
On May 21, 2021, the document(s) described below were served pursuant to the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B.2 which provides for service by electronic mail upon election by the Party or paragraph 10.D, which provides that Watermaster shall mail a postcard describing 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:

DECLARATION OF DON BARTZ IN SUPPORT OF THE SUPPLEMENTAL STATEMENT TO THE MOJAVE BASIN AREA WATERMASTER TWENTY-SEVENTH ANNUAL REPORT AND MOTION TO ADJUST FREE PRODUCTION ALLOWANCE FOR WATER YEAR 2021-2022.

 X I, Jeffrey D. Ruesch, declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 21, 2021 at Apple Valley, California.


Jeffrey D. Ruesch

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Mojave Basin Area Watermaster Service List as of May 21, 2021

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Mojave Basin Area Watermaster Service List as of May 21, 2021

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Mojave Basin Area Watermaster Service List as of May 21, 2021

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