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7 Attorneys for Defendants  
HELENDALE COMMUNITY  
8 SERVICES DISTRICT  
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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF RIVERSIDE

12 CITY OF BARSTOW, et al.,  
13  
Plaintiffs,  
14  
v.  
15 CITY OF ADELANTO, et al.,  
16  
Defendants.

Case No. CIV 208568  
**JOINDER TO 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

17 AND RELATED CROSS ACTIONS.  
18

19 This Joinder is filed in support of the Mojave Basin Area Watermaster’s Twenty-Seventh  
20 Annual Report (“Report”) and Motion to Adjust Free Production Allowance for Water Year 2021-  
21 2022 (“Motion”), filed with the Court on April 28, 2021. Helendale Community Services District  
22 (“Helendale”) does not oppose the Motion. Instead, Helendale respectfully submits the following  
23 to supplement the Watermaster’s Report and rationale in reaching its recommendation forming the  
24 basis for the Motion because it is not yet confirmed that either unlawful extractions and/or  
25 dormant water rights are being used, which goes against the established rights of water rights  
26 holders as established by the Judgement. As to the point regarding “dormant” overlying water  
27 users, this is a key topic recently issued by a published Court of Appeals opinion entitled *Willis v.*  
*Los Angeles County Waterworks District No. 40*, F082469, JCCP No. 4408 (Cal. Ct. App. 5th  
28 Mar. 16, 2021) in which the Court subordinated unexercised overlying water rights to other water  
CIV 208568

**JOINDER TO MOJAVE BASIN AREA WATERMASTER TWENTY-SEVENTH  
ANNUAL REPORT AND MOTION TO ADJUST FREE PRODUCTION  
ALLOWANCE FOR WATER YEAR 2021-2022**

1 rights, thus making that an issue to be addressed by this Court to ensure that the Judgment is  
2 enforced and done so consistently with current law. Also related to the Watermaster’s report,  
3 albeit implicitly, is that well drilling permits should be pursued in consultation with the  
4 Watermaster so as to better ensure compliance with the Judgment. Accordingly, to uphold the  
5 Judgement and the rights of rightful water users, further inquiry is requested to ensure the  
6 Judgement is upheld, administered and enforced. A further concern is that unlawful or  
7 subordinate extractions in what is identified in the Judgment as the “transitional zone” creates risk  
8 to hydrogeological conditions between Alto and Centro sub-units, which in turn create significant  
9 impact to Helendale’s production wells.

10 **Recent Development of Cannabis Water Use**

11 As is discussed by the Watermaster in Section VI of the Memorandum of Points and  
12 Authorities in support of the Motion (*see*, Motion at pg. 8), there has been a significant increase in  
13 water being used to support the growth of hemp and cannabis within the adjudicated area. While  
14 the Watermaster accurately expresses this point in the Motion, the concern that these unauthorized  
15 water users will negatively impact the parties subject to the Judgment must be emphasized to this  
16 Court so as to avoid having unlawful extractions made that are to the detriment to the Basin and to  
17 its lawful water users, including Helendale. To that end, Helendale requests that this Court direct  
18 the Watermaster to investigate to what extent unlawful extractions are occurring including , so that  
19 this Court can then be better positioned to decide how to proceed.

20 As part of the Watermaster’s Report, Chapter 2 considers the quantification of water  
21 production not under the Judgment. This is done through the process of reviewing aerial  
22 photographs throughout the Basin to identify potential uses greater than 10 Acre-Feet Annually  
23 (“AFA”). The Watermaster’s Report notes that this approach has brought some success, including  
24 the voluntary submission of at least 7 pumpers not then-subject to the Judgment. Further, the  
25 Watermaster notes that information obtained via aerial photographs has been supplemented by  
26 information from local residents and water purveyors as well as physical inspection of identified  
27 properties.

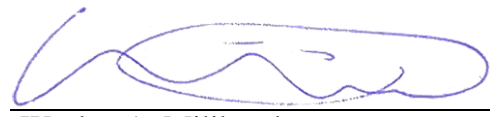
28 Ultimately, Helendale’s position is to request that the Court inquire of the Watermaster to  
the issues set forth above, namely as to identifying any unlawful extractors and to identify any

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extractors who are dormant users now extracting water from the Basin. Though adding another step to the process, this request may require another hearing to hear from the Watermaster.

DATED: May 20, 2021

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

BY:   
Wesley A. Miliband  
HELENDALE COMMUNITY SERVICES  
DISTRICT

1 **PROOF OF SERVICE**

2 (CODE CIV. PROC. § 1013A(3))

3 STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

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

7 On May 20, 2021, I served the following document(s) described below were served  
8 pursuant to the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B.2 which  
9 provides for service by electronic mail upon election by the Party or paragraph 10.D, which  
10 provides that Watermaster shall mail a postcard describing each document being served, to each  
11 Party or its designee according to the official service list, a copy of which is attached hereto, and  
12 which shall be maintained by the Mojave Basin Area Watermaster pursuant to Paragraph 37 of the  
13 Judgment. Served documents will be posted to and maintained on the Mojave Water Agency's  
14 internet website for printing and/or download by Parties wishing to do so. Document(s) filed with  
15 the court and served herein are described as follows: **JOINDER TO MOJAVE BASIN AREA  
16 WATERMASTER TWENTY-SEVENTH ANNUAL REPORT AND MOTION TO ADJUST  
17 FREE PRODUCTION ALLOWANCE FOR WATER YEAR 2021-2022** on the interested  
18 parties in this action as follows:

19 **SERVICE LIST ATTACHED**

- 20  **BY EMAIL:** My electronic service address is 2151 River Plaza Drive, Suite 300,  
21 Sacramento, California 95833-4130. Based on a written agreement of the parties  
22 pursuant to California Code of Civil Procedure § 1010.6 to accept service by electronic  
23 means, at , I sent such document(s) to the email address(es) listed above or on the  
24 attached Service List. Such document(s) was scanned and emailed to such recipient(s)  
25 and email confirmation(s) will be maintained with the original document in this office  
26 indicating the recipients' email address(es) and time of receipt pursuant to CCP §  
27 1013(a).

28 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



## eSubmit – Document Submission Portal Delivery Confirmation

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<b>Street Address</b>		<b>City</b>	<b>State</b>	<b>Zip</b>
2151 River Plaza Drive Suite 300		Sacramento	CA	95833
<b>Phone Number</b>	<b>Fax Number</b>	<b>Company / Agency</b>		
(916) 920-6962		AALRR		
<b>Email Address</b>				
ebarnett@aalrr.com				
<b>New Case</b>	<b>Case Number</b>	<b>Case Type</b>	<b>Court Location</b>	
No	CIV	Civil	Riverside	
<b>Fee Waiver or Other Exemption</b>				
Exempt Pursuant to G.C. §6103				
<b>Filing as an Attorney</b>	<b>Bar Number</b>	<b>Attorney for</b>		
Yes	241283	Defendant, Helendale Community Service District		
<b>Documents</b>				
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				
<b>Notes / Special Instructions</b>				
<b>IMPORTANT:</b> 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.

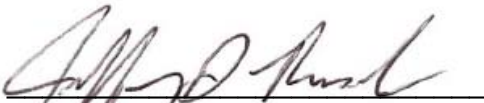
On May 21, 2021, the document(s) described below were served pursuant to the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B.2 which provides for service by electronic mail upon election by the Party or paragraph 10.D, which provides that Watermaster shall mail a postcard describing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

**JOINDER TO 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

## 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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Attn: Mark Asay (bettybrock@ironwood.org;  
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Fundamental Christian Endeavors, Inc. (via email)  
49191 Cherokee Road  
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Gabrych, Eugene  
2006 Old Highway 395  
Fallbrook, CA 92028

Gabrych, Eugene  
2006 Old Highway 395  
Fallbrook, CA 92028-8816

Attn: Mitch Hammack  
Gabrych, Eugene  
34650 Minneola Rd  
Newberry Springs, CA 92365-

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

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

Attn: Jay Storer  
Gaeta, Trinidad  
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Lucerne Valley, CA 92356

Attn: Bruce Gaines (bgaines4@verizon.net)  
Gaines Family Trust, Jack and Mary (via email)  
8225 Marina Pacifica Drive N.  
Long Beach, CA 90803-7006

Garcia, Daniel  
9773 Summerhill Rd.  
Alta Loma, CA 91737-1668

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

Garg, Om P.  
358 Chorus  
Irvine, CA 92618-1414

Attn: Brent Peterson  
Gayjikian, Samuel and Hazel  
34534 Granite Road  
Lucerne Valley, CA 92356-

Attn: Jeffrey Edwards  
(jeffrey.edwards@genon.com)  
GenOn California South, LP (via email)  
P. O. Box 337  
Daggett, CA 92327-0337

Attn: Nereida Gonzalez  
(ana.chavez@gswater.com,  
Nereida.Gonzalez@gswater.com)  
Golden State Water Company (via email)  
160 Via Verde, Ste. 100  
San Dimas, CA 91773-5121

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

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

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

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

Gubler, Hans  
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Landers, CA 92285

Attn: Tamara J Skoglund  
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Gulbranson, Merlin (via email)  
511 Minnesota Ave W  
Gilbert, MN 55741-

Gutierrez, Jose and Gloria  
24116 Santa Fe  
Hinkley, CA 92347

Attn: Bryan C. Haas and Mary H. Hinkle  
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(hackbarthco@sbcglobal.net)  
Hackbarth, Edward E. (via email)  
293 Winfield Circle  
Corona, CA 92880-6943

Attn: Doug and Cheryl Hamilton  
Hamilton Family Trust  
19945 Round Up Way  
Apple Valley, CA 92308-8338

Attn: William Handrinos  
Handrinos, Nicole A.  
1140 Parkdale Rd.  
Adelanto, CA 92301-9308

Attn: Donald F. Hanify  
Hanify, Michael D., dba - White Bear Ranch  
PO BOX 1021  
Yermo, CA 92398-1021

Attn: Matt Wood (Matt.Wood@Hanson.com)  
Hanson Aggregates WRP, Inc. (via email)  
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Corona, CA 92878-1115

Attn: Mary Jane Hareson  
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1737 Anza Avenue  
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Attn: Kenny Harmsen (harmsecow@aol.com)  
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Hinkley, CA 92347-9721

Attn: Neal Davies (NDavies@terra-gen.com)  
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Hawkins, James B. (via email)  
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Attn: Craig Carlson (kcox@helendalecsd.org;  
ccarlson@helendalecsd.org)  
Helendale Community Services District (via email)  
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## Mojave Basin Area Watermaster Service List as of May 21, 2021

Attn: Joshua Behnke  
Helendale School District  
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Attn: Jeff Gallistel  
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Yermo, CA 92398-0972

Hensley, Mark P.  
35523 Mountain View Rd  
Hinkley, CA 92347-9613

Hert, Scott  
P. O. Box 590  
Lucerne Valley, CA 92356-0590

Attn: Jeremy McDonald  
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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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10 Western Road  
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Attn: Jeremy McDonald  
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9700 7th Avenue  
Hesperia, CA 92345-3493

Attn: Jeremy McDonald  
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Hesperia, City of (via email)  
9700 Seventh Avenue  
Hesperia, CA 92345-3493

Attn: Patricia Mohr (ghd123@earthlink.net)  
Hettinga Revocable Trust (via email)  
14651 South Grove Ave.  
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Attn: Lisset Sardeson  
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Hi-Grade Materials Company (via email)  
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Attn: Katherine Hill (Khill9@comcast.net)  
Hill Family Trust and Hill's Ranch, Inc. (via email)  
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Ashland, OR 97520-

Attn: Mary Thomas  
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Lucerne Valley, CA 92356-0749

Ho, Ting-Seng and Ah-Git  
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Attn: Gretchen Horton  
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Newberry Springs, CA 92365-9258

Attn: Gretchen Horton  
Horton's Children's Trust  
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Attn: Norman A. Howard  
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Attn: Ester Hubbard  
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Attn: John Driscoll  
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## Mojave Basin Area Watermaster Service List as of May 21, 2021

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Attn: Sebastian Marzaro (italmood@aol.com)  
Italmood Inc., et. al. (via email)  
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Easton, CT 06612-1036

Attn: James Jackson Jr.  
Jackson, James N. Jr Revocable Living Trust  
1245 S. Arlington Avenue  
Los Angeles, CA 90019-3517

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)  
15940 Stoddard Wells Rd - Office  
Victorville, CA 92395-2800

Attn: Gary A. Ledford  
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Jess Ranch Water Company (via email)  
906 Old Ranch Road  
Florissant, CO 80816-

Johnson, Carlean  
8626 Deep Creek Road  
Apple Valley, CA 92308

Johnson, Ronald  
1156 Clovis Circle  
Dammeron Valley, UT 84783-5211

Attn: Lawrence W. Johnston  
Johnston, Harriet and Johnston, Lawrence W.  
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Attn: Magdalena Jones  
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Jones Trust dated March 16, 2002 (via email)  
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Lucerne Valley, CA 92356-7237

Jones, Joette  
81352 Fuchsia Ave.  
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Attn: Paul Jordan  
Jordan Family Trust  
1650 Silver Saddle Drive  
Barstow, CA 92311-2057

Attn: Ray Gagné  
Jubilee Mutual Water Company  
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Lucerne Valley, CA 92356

Attn: Lee Logsdon  
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Chino, CA 91710-

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Attn: Peggy Shaughnessy  
Kemper Campbell Ranch  
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Kim, Ju Sang (via email)  
1225 Crestview Dr  
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Kim, Seon Ja  
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Attn: Richard Koering and Donna Koering  
Koering, Richard and Koering, Donna  
40909 Mt. View  
Newberry Springs, CA 92365-9414

Kosharek, John and Joann  
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Attn: Catherine Cerri  
(ccerri@lakearrowheadcsd.com)  
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Lake Jodie Property Owners Association (via email)  
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## Mojave Basin Area Watermaster Service List as of May 21, 2021

Attn: Nancy Lan  
Lake Waikiki  
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Attn: c/o J.C. UPMC, Inc  
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Lake Wainani Owners Association (via email)  
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(jlangley@kurschgroup.com)  
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12277 Apple Valley Road, Ste. #120  
Apple Valley, CA 92308-1701

Langley, Michael R. and Sharon  
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Yermo, CA 92398-0524

Attn: Vanessa Laosy  
Lavanh, et al.  
18203 Yucca St.  
Hesperia, CA 92345-

Attn: Robert Lawrence Jr.  
Lawrence, William W.  
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Lawson, Ernest and Barbara  
20277 Rock Springs Road  
Apple Valley, CA 92308-8740

Attn: Anna K. Lee (aklee219@gmail.com)  
Lee, Anna K. and Eshban K. (via email)  
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Lee, Doo Hwan  
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Lucerne Valley, CA 92356-0556

Attn: Sepoong & Woo Poong Lee  
Lee, et al., Sepoong and Woo Poong  
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Irvine, CA 92620-

Attn: Eric Archibek  
Lee, Vin Jang T.  
41717 Silver Valley Road  
Newberry Springs, CA 92365

Lenhert, Ronald and Toni  
10083 Deep Creek Rd.  
Apple Valley, CA 92308-8322

Attn: Brad Francke  
LHC Alligator, LLC  
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Upland, CA 91785-0670

Attn: Billy Liang  
Liang, Yuan - I and Tzu - Mei Chen  
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Attn: Eric Larsen  
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Attn: James Lin  
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2026 Turnball Canyon  
Hacienda Heights, CA 91745-

Attn: Mei Li  
Lo, et al.  
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Attn: Patricia Miranda  
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Lucerne Valley, CA 92356-

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Low, Dean (via email)  
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Monrovia, CA 91017-1267

Lua, Michael T. and Donna S.  
18838 Aldridge Place  
Rowland Heights, CA 91748-4890

Attn: Gwen L. Bedics  
Lucerne Valley Mutual Water Company  
P. O. Box 1311  
Lucerne Valley, CA 92356

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

Attn: Marian Walent  
(LVVMC677@gmail.com)  
Lucerne Vista Mutual Water Company (via  
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Lucerne Valley, CA 92356-0677

Attn: Carolyn J. Luckey  
Luckey 2010 Revocable Trust  
10967 Kelvington Ln  
Apple Valley, CA 92308-3647

Attn: Eugene R. & Vickie R. Bird  
M Bird Construction  
1613 State Street, Ste. 10  
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Attn: Maria Martinez  
M.B. Landscaping and Nursery, Inc.  
20300 Figueroa Street  
Carson, CA 90745-1212

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

Attn: Robert Saidi  
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Attn: Jimmy Berry  
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19332 Balan Road  
Rowland Heights, CA 91748-4017

Attn: Allen Marcroft  
Marcroft, James A. and Joan  
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Attn: James M. Hansen, Jr.  
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Attn: Olivia L. Mead  
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31314 Clay River Road  
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Attn: David I. Milbrat  
Milbrat, Irving H.  
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Attn: Donna Miller  
Miller Living Trust  
7588 San Remo Trail  
Yucca Valley, CA 92284-9228

Attn: David Rib (drib@mitsubishicement.com)  
Mitsubishi Cement Corporation (via email)  
5808 State Highway 18  
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Attn: Philip Mizrahie  
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Attn: Thomas A. Hrubik (tahgolf@aol.com)  
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Attn: Amy Langston (alangston@mdlt.org)  
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Joshua Tree, CA 92252-0849

Attn: Maria Elena Lopez  
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Attn: Doug Kerns  
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Attn: Manoucher Sarbaz  
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Attn: Ken Elliot (Billie@ElliotPlace.com)  
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Lanexa, VA 23089-9320

Moss, Lawrence W. and Helen J.  
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Lucerne Valley, CA 92356-8116

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Most Family Trust  
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Attn: Dennis Hills  
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Music, Zajo (via email)  
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Attn: James Hansen  
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Attn: Billy Liang (flossdaily@hotmail.com;  
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Attn: Jodi Howard  
Newberry Community Services District  
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Newberry Springs, CA 92365-0206

Attn: Jeff Gaastra (jeff@weaponsedge.com)  
Newberry Springs Recreational Lakes  
Association (via email)  
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Newberry Springs, CA 92365-

Attn: Mary Ann Norris  
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## Mojave Basin Area Watermaster Service List as of May 21, 2021

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Nuñez, Luis Segundo  
9154 Golden Seal Court  
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Attn: Pearl or Gail Nunn  
Nunn Family Trust  
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Attn: Jeff Gaastra (jeffgaastra@gmail.com;  
andy@seesmachine.com;  
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Attn: Kody Tompkins  
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220 E. Mountain View Street, Suite A  
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Attn: Dorothy Ohai  
Ohai, Reynolds and Dorothy  
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Attn: Craig Maetzold McCullers  
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District (via email)  
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Polich, Donna  
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Porter, Timothy M.  
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Attn: Carin McKay  
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