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*Exempt from filing fee pursuant to
Gov't. Code Section 6103*

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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 Plaintiff,

16 v.

17 CITY OF ADELANTO, et al

18 Defendant.

CASE NO.: CIV 208568

**NOTICE OF ORDER RE PETITION
FOR COORDINATION IN MOJAVE
BASIN WATER CASES (JCCP5265)**

Date: February 17, 2023

Time: 8:30 a.m.

Dept.: 1 (Riverside Superior Court)

19 **AND RELATED CROSS ACTIONS**

Assigned for All Purposes to:
Hon. Craig G. Riemer, Judge Presiding

TO THE PARTIES ABOVE-NAMED AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on January 20, 2023, an Order Setting Hearing on Coordination Petition was issued. A true and correct copy of the Order is attached as Exhibit 1 hereto. Therein, the Judge assigned to consider and rule upon the Mojave Water Agency's Petition for coordination of actions,¹ the Honorable Craig G. Riemer, Department 1 of the Superior Court for the County of Riverside (the Riverside Superior Court), in pertinent part

¹ The Petition for Coordination seeks coordination of the action titled *City of Barstow v. City of Adelanto*, Case No. CIV 208568, presently pending in the Superior Court for the County of Riverside, with the related action titled, in part, *The Mojave Water Agency, as the Mojave Basin Area Watermaster v. All persons [Etc.]*, Case No. CIV SB 218461, presently pending in the Superior Court for the County of San Bernardino.

1 ordered that:

2 1. A hearing on the Petition for coordination will be held on Friday, February 17, 2023, at
3 8:30 a.m. in **Department 1 of the Riverside Superior Court**;

4 2. Any response to the Petition for coordination shall be filed with the Riverside Superior
5 Court (referencing the *Mojave Basin Water Cases*, JCCP5265) and served at least nine court
6 days in advance of the hearing, i.e., **not later than February 6, 2023**. If no opposition to the
7 Petition is filed within that time, the Court may vacate the hearing, as authorized by California
8 Rules of Court, Rule 3.527.

9 3. Neither action is stayed pending the decision to coordinate.

10 4. The status conference previously scheduled for February 27, 2023 is vacated.

11 Dated: January 27, 2023

BRUNICK, McELHANEY & KENNEDY PLC

12
13 By: 

14 William J. Brunick
15 Leland P. McElhaney
16 Attorneys for Defendant/Cross-complainant,
17 MOJAVE WATER AGENCY
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

CASE TITLE: Mojave Basin Water Cases

CASE NO.: JCCP5265

DATE: January 20, 20233

Department 1

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JAN 20 2023

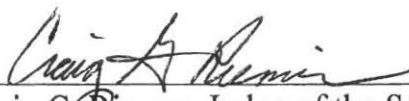
W L Howell

PROCEEDING: Order Setting Hearing on Coordination Petition

The Mojave Water Agency filed a petition for the coordination of two cases pending in the Superior Courts of the Counties of Riverside and San Bernardino. By an order dated December 23, 2022, the Chair of the Judicial Council directed Riverside Superior Court to assign a coordination motion judge to decide the petition. On January 9, 2023, the Presiding Judge of the Riverside Superior Court assigned Judge Craig G. Riemer to serve in that role.

The Court now rules as follows:

1. A hearing on the petition is scheduled for Friday, February 17, 2023, at 8:30 A.M., in Department 1 of this Court.
2. Any response to the petition for coordination shall be filed and served at least nine court days in advance of the hearing. (Cal. Rules of Court, rules 3.525 & 3.526.) If no opposition to the petition is filed within that time, the Court may vacate the hearing, as authorized by California Rules of Court, rule 3.527.
3. Neither action is stayed pending the decision on coordination. The Court finds that a stay is not necessary to effectuate the purposes of coordination and would not promote the ends of justice. (Cal. Rules of Court, rule 3.515(b)(3) & (f).) In particular, the Court notes that no evidence has been presented of any risk of duplicative efforts or inconsistent rulings between now and the date of the hearing on the petition.
4. The status conference previously scheduled for February 27, 2023, is vacated.
5. Counsel for the Petitioner shall immediately (a) file copies of this order in both underlying actions, (b) give notice of the order to all parties of all actions, and (c) file proof of service of that notice no later than February 14, 2023.



Craig G. Riemer, Judge of the Superior Court

BRUNICK, McELHANEY & KENNEDY
PROFESSIONAL LAW CORP

JAN 27 2023

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LELAND P. MCELHANEY

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SAN BERNARDINO, CA 92423-3130

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 January 27, 2023, 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 ORDER RE PETITION FOR COORDINATION IN MOJAVE BASIN CASES (JCCP5265)

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 January 27, 2023 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of January 27, 2023

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Mojave Basin Area Watermaster Service List as of January 27, 2023

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Attn: Janie Martines
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Attn: Jeremy McDonald
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Attn: Jeremy McDonald
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Mojave Basin Area Watermaster Service List as of January 27, 2023

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Johnston, Harriet and Johnston, Lawrence W.
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Lucerne Valley, CA 92356

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Mojave Basin Area Watermaster Service List as of January 27, 2023

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Mojave Basin Area Watermaster Service List as of January 27, 2023

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Attn: Jodi Howard
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Mojave Basin Area Watermaster Service List as of January 27, 2023

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Mojave Basin Area Watermaster Service List as of January 27, 2023

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Mojave Basin Area Watermaster Service List as of January 27, 2023

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