



COUNTY COUNSEL

Tom Bunton
County Counsel

Maria Insixiengmay
Deputy County Counsel
Direct dial: (909) 387-4621
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July 11, 2023

Jeffrey D. Ruesch
Watermaster Services Manager
Mojave Water Agency
13846 Conference Center Drive
Apple Valley, CA 92307-4377
jruesch@mojavewater.org

RE: City of Barstow, et al v. City of Adelanto, et al.
Case No.: CIV208568

Dear Mr. Ruesch,

Enclosed, please find a conformed copy of "San Bernardino County's Notice of Joinder to Oppositions on Watermaster's Motion to Adjust the Free Production Allowance" filed with the Court on June 8, 2023 for service of process. Pursuant to the Watermaster's rules and regulations, a \$450 cash transfer was deposited into the Watermaster's account on or about June 21, 2023. Although this was a late filing, it was nonetheless filed with the Court and to avoid confusion with having the document on file but not served, please proceed with service of process.

Thank you in advance for your cooperation.

Very Truly Yours,

TOM BUNTON
County Counsel

A handwritten signature in blue ink, appearing to read "Tom Bunton".

Maria Insixiengmay
Deputy County Counsel

cc: Bill Brunick, bbrunick@bmklawplc.com

MLI:jgs
#2PL4408

BOARD OF SUPERVISORS

COL. PAUL COOK (RET.)
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JESSE ARMENDAREZ
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JOE BACA, JR.
Fifth District

Leonard X. Hernandez
Chief Executive Officer

Per 1005 CCP/3.1300(d)CRC/437c(b) CCP

1 MARIA INSIXIENGMAY (CA State Bar No. 281205)
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County Counsel
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5 E-Mail: maria.insixiengmay@cc.sbcounty.gov

Exempt per Government Code § 6103

6 Attorneys for Defendant San Bernardino County

7
8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF RIVERSIDE

11 Coordination Proceeding Special Title
(Cal. Rules of Court, Rule 3.550)

JCCP NO.: 5625
Case No. CIV 208568

12 MOJAVE BASIN WATER CASES

Assigned for All Purposes to:
Hon. Judge Craig Riemer, Dept. 1

13 CITY OF BARSTOW, et al.,

14 Plaintiff,

SAN BERNARDINO COUNTY'S NOTICE OF
JOINER TO OPPOSITIONS ON
WATERMASTER'S MOTION TO ADJUST THE
FREE PRODUCTION ALLOWANCE

15 v.

16 CITY OF ADELANTO, et al.,

17 Defendant.

Date: June 9, 2022
Time: 1:30 p.m.
Dept: 1

18
19
20 AND RELATED CROSS ACTIONS

Assigned to: Judge Craig Riemer, Department 1

22
23 **TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:**

24 **PLEASE TAKE NOTICE** that SAN BERNARDINO COUNTY ("County") hereby submits this
25 Notice of Joinder to Oppositions on Watermaster's Motion to Adjust the Free Production Allowance and
26 comments submitted by the City of Hesperia, the City of Victorville/Victorville Water District, and
27 Mitsubishi Cement Corporation, Robertson's Ready Mix, Ltd. / Service Rock Product's Corporation and
28 Calportland Company (collectively "Opposing Parties"). The County has an interest in the actions of the


1 Watermaster and any effect on the County's water production rights in the basin, including the Alto and
2 Este subareas.

3 The County concurs with the Oppositions and their position that the Watermaster's Motion to
4 Adjust the Free Production Allowance and request to ramp down water production for the Este and Alto
5 subareas should be denied because it is premature.¹ The Watermaster's own engineer concedes that a
6 full evaluation of Production Safe Yield ("PSY") will not be complete until December 2023. (Wagner
7 Declaration, p. 2:23-28, 6:6-7.) Furthermore, as to Este subarea, the analysis is not complete. (*Id.* p.
8 2:23-28, 6:27-28.) The Reply concedes, "the primary focus of the PSY analysis to be completed in
9 December 2023 is the PSY for the other four subareas." (Watermaster's Reply at p. 2, lines 14-15.) This
10 analysis includes Este, one of the other four subareas included in the proposed ramp down, in addition to
11 the Alto subarea. Accordingly, any action taken as to the Este subarea is premature. Therefore, either a
12 denial or continuation of the Motion will allow for the full evaluation, consideration, and complete
13 determination as to whether the proposed reductions in the Este and Alto subareas are in line with the
14 evaluation. It will also ensure any decision affecting the parties' water production rights in the basin
15 complies with Judgment requirements which requires such decision to be made on the merits of the data
16 and following consideration of all pertinent factors as detailed in the Oppositions submitted to the
17 Watermaster's Motion.²

18 DATED: June 7, 2023

Respectfully submitted,

19
20 TOM BUNTON
County Counsel

21
22 
23 Maria Insixiengmay
Deputy County Counsel
24 Attorneys for San Bernardino County
25
26

27 ¹ The Motion does not propose reduction for the Baja subarea FPA and therefore the County does not offer
opposition or comments to this subarea at this time.

28 ² Because this Notice of Joinder to Oppositions is filed and served after the briefing deadline, the County does
not oppose any continuance of the hearing date to permit any further written reply on the merits.

1 **PROOF OF SERVICE**

2 I am employed in the County of San Bernardino, State of California. I am a citizen of the United
3 States, employed in the County of San Bernardino, State of California, over the age of 18 years and not a
4 party to nor interested in the within action. My business address is 385 North Arrowhead Avenue, Fourth
5 Floor, San Bernardino, CA 92415-0140.

6 On June 7, 2023, I served the following documents (*specify*):

7 **SAN BERNARDINO COUNTY'S NOTICE OF JOINDER TO OPPOSITIONS ON
8 WATERMASTER'S MOTION TO ADJUST THE FREE PRODUCTION ALLOWANCE**

9 I served the documents on the persons below, as follows:

<p>10 Mojave Basin Area Watermaster 11 c/o Valerie Wiegenstein 12 Watermaster Services Manager 13 13846 Conference Center Drive 14 Apple Valley, CA 92307-4377 15 watermaster@mojavewater.org</p>	<p>16 William J. Brunick and Leland P. McElhaney 17 Brunick, McElhaney & Kennedy PLC 18 P.O. Box 13130 19 San Bernardino, CA 92408-3303 20 Attorneys for Defendant/Cross-Complainant 21 Mojave Water Agency 22 bbrunick@bmblawoffice.com</p>
--	---

23 The documents were served by the following means:

24 **By United States Mail.** I enclosed the documents in a sealed envelope or package addressed to the persons
25 at the addresses listed above and placed the envelope for collection and mailing, following our ordinary
26 business practices. I am readily familiar with this business's practice for collecting and processing
27 correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is
28 deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with
postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or
package was placed in the mail at San Bernardino, California.

By e-mail or electronic transmission. Based on a court order or an agreement of the parties to accept
electronic service, I caused the documents to be sent to the persons at the electronic service addresses
listed above.

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

DATE: June 7, 2023


Josefa Soria, Declarant

1 **PROOF OF SERVICE**

2 I am employed in the County of San Bernardino, State of California. I am a citizen of the United
3 States, employed in the County of San Bernardino, State of California, over the age of 18 years and not a
4 party to nor interested in the within action. My business address is 385 North Arrowhead Avenue, Fourth
Floor, San Bernardino, CA 92415-0140.

5 On July 11, 2023, I served the following documents (*specify*):

6 **SAN BERNARDINO COUNTY'S NOTICE OF JOINDER TO OPPOSITIONS ON**
7 **WATERMASTER'S MOTION TO ADJUST THE FREE PRODUCTION ALLOWANCE**

8 I served the documents on the persons below, as follows:

<u>Via Email and United States Mail</u>	<u>Via Email Only</u>
Jeffrey D. Ruesch Watermaster Services Manager Mojave Water Agency 13846 Conference Center Drive Apple Valley, CA 92307-4377 jruesch@mojavewater.org	William J. Brunick and Leland P. McElhaney Brunick, McElhaney & Kennedy PLC P.O. Box 13130 San Bernardino, CA 92408-3303 Attorneys for Defendant/Cross-Complainant Mojave Water Agency bbrunick@bmklawplc.com

14 The documents were served by the following means:

15
16 **By United States Mail.** I enclosed the documents in a sealed envelope or package addressed to the
17 persons at the addresses listed above and placed the envelope for collection and mailing following our
18 ordinary business practices. I am readily familiar with this business's practice for collecting and processing
19 envelopes for mailing. On the same day that an envelope is placed for collection and mailing, it is deposited
in the ordinary course of business with the United States Postal Service, in San Bernardino, California, in a
sealed envelope with postage fully prepaid.

20 I am a resident or employed in the county where the mailing occurred. The envelope or package
21 was placed in the mail at San Bernardino, California.

22 **By e-mail or electronic transmission.** Based on a court order or an agreement of the parties to
23 accept electronic service, I caused the documents to be sent to the persons at the electronic service
addresses listed above.

24 I declare under penalty of perjury under the laws of the State of California, that the above is true
25 and correct.

26 DATED: July 11, 2023

27 
28 _____
Josefa Soria, Declarant

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.

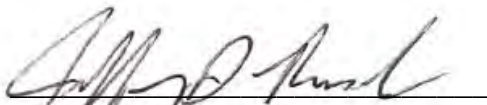
On July 13, 2023, the document(s) described below were served pursuant to the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B.2 which provides for service by electronic mail upon election by the Party or paragraph 10.D, which provides that Watermaster shall mail a postcard describing 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:

San Bernardino County's Notice of Joinder to Opposition on Watermaster's Motion to Adjust the Free Production Allowance

 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 July 13, 2023 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of July 13, 2023

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

Attn: John McCallum
Abshire, David V.
P. O. Box # 2059
Lucerne Valley, CA 92356-2059

Attn: Daniel Best
Adelanto, City Of
17600 Air Expressway
Adelanto, CA 92301-1914

(adesdevon@gmail.com)
Ades, John and Devon (via email)

Attn: Pedro Dumaua
(pdumaua@ducommun.com)
Aerochem, Inc. (via email)
4001 El Mirage Rd.
Adelanto, CA 92301-9489

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

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

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

Attn: Chun Soo Ahn
(davidahnmd@gmail.com,
chunsooahn@naver.com;
davidahn0511@gmail.com)
Ahn, Chun Soo and David (via email)
P. O. Box 45
Apple Valley, CA 92307-0001

Attn: Chun Soo Ahn (chunsooahn@naver.com)
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P. O. Box 45
Apple Valley, CA 92307-0001

Ake, Charles J. and Marjorie M.
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Barstow, CA 92311-6757

Attn: Paul Tsai (paul@ezzlife.com)
America United Development, LLC (via email)
19625 Shelyn Drive
Rowland Heights, CA 91748-3246

Attn: Ana Chavez
American States Water Company
160 Via Verde, Ste. 100
San Dimas, CA 91773-5121

Anderson, Ross C. and Betty J.
13853 Oakmont Dr.
Victorville, CA 92395-4832

Attn: Daniel B. Smith (avfwd@gmail.com)
Apple Valley Foothill County Water District
(via email)
22545 Del Oro Road
Apple Valley, CA 92308-8206

Attn: Matthew Patterson
Apple Valley Heights County Water District
P. O. Box 938
Apple Valley, CA 92308-0938

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

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

Attn: Tina Kuhns
Apple Valley, Town Of
14955 Dale Evans Parkway
Apple Valley, CA 92307-3061

Archibek, Eric
41717 Silver Valley Road
Newberry Springs, CA 92365-9517

Attn: Deborah Stephenson
(stephenson@dmsnaturalresources.com)
Atchison, Topeka, Santa Fe Railway Company
(via email)
602 S. Ferguson Avenue, Suite 2
Bozeman, MT 59718-

Attn: Debrah Stephenson
Atchison, Topeka, Santa Fe Railway Company
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Avila, Angel and Evalia
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Attn: Sheré R. Bailey
(LegalPeopleService@gmail.com)
Bailey 2007 Living Revocable Trust, Sheré R.
(via email)
10428 National Blvd
Los Angeles, CA 90034-4664

Attn: Daniel Shaw (barhwater@gmail.com)
Bar H Mutual Water Company (via email)
P. O. Box 844
Lucerne Valley, CA 92356-0844

Barber, James B.
43774 Cottonwood Road
Newberry Springs, CA 92365

Attn: Casey Slusser
(barlenwater@hotmail.com;
casey.slusser@gmail.com)
Bar-Len Mutual Water Company (via email)
P. O. Box 77
Barstow, CA 92312-0077

Mojave Basin Area Watermaster Service List as of July 13, 2023

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

Attn: Jennifer Riley (hriley@barstowca.org)
Barstow, City of (via email)
220 East Mountain View Street -Suite A
Barstow, CA 92311

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

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

Attn: Mike Beinschroth
(Beinschroth@gmail.com)
Beinschroth Family Trust (via email)
18794 Sentenac
Apple Valley, CA 92307-5342

Beinschroth, Andy Eric
6719 Deep Creek Road
Apple Valley, CA 92308-8711

Attn: Chuck Bell (Chuckb193@outlook.com;
Chuckb193@outlook.com)
Bell, Charles H. Trust dated March 7, 2014
(via email)
P. O. Box 193
Lucerne Valley, CA 92356-0193

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

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

Attn: Marvin Brommer
Brommer House Trust
9435 Strathmore Lane
Riverside, CA 92509-0941

Attn: Paul Johnson
Brown, Bobby G. and Valeria R.
26776 Vista Road
Helendale, CA 92342-9789

Brown, Jennifer
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Bruneau, Karen
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(irim@aol.com)
Bryant, Ian (via email)
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Attn: Noah Furie
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Attn: Robert Muratalla
(Robert.Muratalla@associa.us)
Calico Lakes Homeowners Association (via
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Attn: William DeCoursey
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William.Decoursey@dot.ca.gov)
California Department Of Transportation (via
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San Bernardino, CA 92408-1310

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Attn: Catalina Fernandez-Moores
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Attn: Catalina Fernandez-Moores
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Attn: Tony Camanga
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Attn: Myron Campbell II
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Mojave Basin Area Watermaster Service List as of July 13, 2023

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4775 Bird Farm Road
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Attn: Beahta Davis
CDFW - Mojave Narrows Regional Park
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San Bernardino, CA 92415-1005

Attn: Paco Cabral
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Attn: Mary M Ross
Chamisal Mutual Water Company
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Attn: Carl Pugh (talk2betty@aol.com;
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Christison, Joel
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Chung, et al.
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Clark, Arthur
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Blue Jay, CA 92317-4513

Attn: Erik Archibek
Clark, Gary and Beth A.
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Bullhead City, AZ 86442-8464

Attn: Manoucher Sarbaz
Club View Partners
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Beverly Hills, CA 90212-1671

Conner, William H.
11535 Mint Canyon Rd.
Agua Dulce, CA 91390-4577

Contratto, Ersula
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Attn: George Starke
Corbridge, Linda S.
8743 Vivero St
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Cross, Francis and Beverly
156 W 100 N
Jerome, ID 83385-5256

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

Attn: Jay Hooper (jayho123@gmail.com)
Crown Cambria, LLC (via email)
9860 Gidley St.
El Monte, CA 91731-1110

Attn: Alessia Morris
Crystal Lakes Property Owners Association
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Yermo, CA 92398

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

Attn: Shanna Mitchell (daggettsd@aol.com;
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Daggett Community Services District (via
email)
P. O. Box 308
Daggett, CA 92327-0308

Attn: Steve and Dana Rivett
Daggett Ranch, LLC
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Daggett, CA 92327-0112

Attn: James Kelly
(James.Kelly@clearwayenergy.com)
Daggett Solar Power 3 LLC (via email)
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Carlsbad, CA 92008-4715

(ron@dadcopowerandlights.com)
Dahlquist, George R. (via email)
8535 Vine Valley Drive
Sun Valley, CA 91352-

Mojave Basin Area Watermaster Service List as of July 13, 2023

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

Attn: Alan L. De Jong
De Jong Family Trust
46561 Fairview Road
Newberry Springs, CA 92365-9230

Attn: Randy Wagner
Dennison, Quentin D. - Clegg, Frizell and Joke
44579 Temescal Street
Newberry Springs, CA 92365

Attn: Marie McDaniel
Desert Dawn Mutual Water Company
P. O. Box 392
Lucerne Valley, CA 92356-0392

Attn: Penny Zaritsky
(pennyzaritsky2000@yahoo.com)
Desert Girlz LLC (via email)
10757 Lincoln Road
Lucerne Valley, CA 92356-7

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

Attn: Debby Wyatt
DLW Revocable Trust
13830 Choco Rd.
Apple Valley, CA 92307-5525

Attn: Judith Dolch-Partridge, Trustee
Dolch Living Trust Robert and Judith
4181 Kramer Lane
Bellingham, WA 98226-7145

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

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

Attn: David Dorrance
Dorrance, David W. and Tamela L.
118 River Road Circle
Wimberley, TX 78676-5060

Attn: David Looper
Douglas, Tina
P.O. Box 1730
Lucerne Valley, CA 92356-

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

Attn: Stephanie L. Evert
(severt2166@aol.com)
Evert Family Trust (via email)
19201 Parker Circle
Villa Park, CA 92861-1302

Eygnor, Robert E.
3424 S. Friendship Road
Germanton, NC 27019-9133

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

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

(afc30@yahoo.com)
Fernandez, Arturo (via email)
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Rancho Santa Margarita, CA 92688-2627

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

(ropingmom3@yahoo.com)
Finch, Jenifer (via email)
9797 Lewis Lane
Apple Valley, CA 92308-8357

Attn: Alex and Jerrica Liu
(alexliu1950@gmail.com;
alexroseanneliu@yahoo.com)
First CPA LLC (via email)
46669 Valley Center Rd
Newberry Springs, CA 92365-

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

Attn: Paul Johnson
Fisher Trust, Jerome R.
7603 Hazeltine
Van Nuys, CA 91405

Attn: Camille Yusufov
Foothill Estates MHP, LLC
9454 Wilshire Blvd., Ste. 920
Beverly Hills, CA 90212-2925

(cfrates@renewablegroup.com)
Frates, D. Cole (via email)
113 S La Brea Ave., 3rd Floor
Los Angeles, CA 90036-2998

Attn: Martin Frazier
Frazier, et al.
8707 Deep Creek Rd
Apple Valley, CA 92308-

Attn: Deborah A. Friend
Friend, Joseph and Deborah
P. O. Box 253
Barstow, CA 92312-0253

Attn: Mark Asay (bettybrock@ironwood.org;
waltbrock@ironwood.org)
Fundamental Christian Endeavors, Inc. (via email)
49191 Cherokee Road
Newberry Springs, CA 92365

Gabrych, Eugene
2006 Old Highway 395
Fallbrook, CA 92028

Mojave Basin Area Watermaster Service List as of July 13, 2023

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

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

Garcia, Daniel
223 Rabbit Trail
Lake Jackson, TX 77566-3728

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

Garg, Om P.
358 Chorus
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Mojave Basin Area Watermaster Service List as of July 13, 2023

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Mojave Basin Area Watermaster Service List as of July 13, 2023

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Mojave Basin Area Watermaster Service List as of July 13, 2023

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Mojave Basin Area Watermaster Service List as of July 13, 2023

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Mojave Basin Area Watermaster Service List as of July 13, 2023

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