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Mountain Ranch, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

CITY OF BARSTOW, et al.,

Plaintiffs,

v.

CITY OF ADELANTO, et al.,

Defendants.

Lead Case No. CIV208568  
JCCP5265 MOJAVE BASIN WATER  
CASES

Judge: Craig Riemer, Department 1

**DECLARATION OF TONY MORGAN  
IN SUPPORT OF MOTION TO  
INTERPRET AND CLARIFY THE  
JUDGMENT**

*[Filed concurrently with:  
1. Motion to Interpret/Clarify;  
2. Declaration of Timothy Walsh;  
3. Declaration of Christopher Pisano;  
4. Request for Judicial Notice;  
and,  
5. [Proposed] Order.]*

Date: Jan. 8, 2024  
Time: 8:30am  
Dept: 1

Action Filed: May 30, 1990

**DECLARATION OF TONY MORGAN**

I, Tony Morgan, declare as follows:

1. I am a Vice President and Principal Hydrogeologist at Daniel B. Stephens & Associates, Inc. ("DBS&A"). I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could competently testify to all matters set forth herein.

2. I make this declaration in support of Shadow Mountain Ranch, LLC's ("SMR") motion to interpret and clarify the scope of the January 10, 1996 Judgment and Physical Solution ("Motion").

**QUALIFICATIONS AND EXPERIENCE**

3. A true and correct copy of my curriculum vitae is attached to this declaration as Exhibit "1."

4. I have nearly 40 years of experience in water supply, water management, and hydrogeological programs for municipal, industrial, and agricultural application.

5. I hold a Bachelor of Science in Geology (Specialization in Hydrogeology and Quaternary Geology) from Indiana University. I also hold a Master of Arts (Quaternary Geology Specialization with Hydrogeology and Geotechnical Engineering Minors) from Indiana University.

6. I am a Professional Geologist in California (No. 4178).

7. I am also a Certified Hydrogeologist in California (No. 159).

8. I have taught hydrogeology courses to both undergraduate and graduate students at Indiana University, California State University – Fullerton, and California State University – San Bernardino. I have been on the Professional Advisory Board for California State University – San Bernardino since 2010.

9. I am on the Board of Directors for the American Ground Water Trust. I am a member of the National Ground Water Association and the Groundwater Resource Association of California. I am on the Groundwater Committee for the Association of California Water Agencies.

1           10. Over my career as a consultant, including four years as the Deputy General  
2 Manager for Groundwater & Water Resources at United Water Conservation District, I have been  
3 involved in a broad range of projects related to groundwater supply development and  
4 management, including groundwater resource exploration and production.

5           11. The opinions contained in this declaration are supported by generally-accepted  
6 professional hydrogeologic principles and practices.

7                   **RETENTION BY SMR AND BEST BEST & KRIEGER LLP**

8           12. In January 2019, SMR contracted DBS&A to conduct a phased comprehensive  
9 groundwater study for the SMR Property.<sup>1</sup>

10           13. DBS&A prepared several technical reports for SMR which analyzed groundwater  
11 production quantities, groundwater quality, groundwater inflow and outflow, groundwater flow  
12 gradients, and hydrologic connectivity (a) between the two groundwater aquifers underlying the  
13 SMR Property, and (b) between the SMR Property's groundwater aquifers and the rest of the  
14 Mojave Basin.

15           14. I was personally involved in the technical work and drafting of these various  
16 reports.

17           15. DBS&A was subsequently retained by Best Best & Krieger LLP on behalf of  
18 SMR to provide advice and render opinions in support of the above-referenced Motion in the  
19 above-captioned adjudication.

20           16. I am generally familiar with the above-captioned adjudication of the Mojave River  
21 Groundwater Basin ("Mojave Basin") in *City of Barstow, et al. v. City of Adelanto, et al.*  
22 (Riverside County Superior Court Case No. CIV208568), which began in 1990. I understand that  
23 final judgment was entered on January 10, 1996, through the Stipulated Judgment and Physical  
24 Solution, as later amended on December 5, 2002 ("Judgment"). I am aware that the Judgment  
25 established five distinct "hydrologic Subareas" in the Mojave Basin—Este, Oeste, Alto, Centro,  
26 and Baja—and managed each Subarea separately according to each Subarea's distinct  
27  
28

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<sup>1</sup> SMR Property is defined below in paragraph 31.

1 groundwater supplies and varying levels of hydrological connectivity to other Subareas.

2 (Judgment at 5-6, § II(A)(3); 21, § II(C)(13); Ex. B.)

3 17. I am aware that each Subarea has different compliance requirements and  
4 obligations under the Judgment. (See, e.g., Judgment at 8, § II(A)(4)(f); 16, § II(C)(8)(a)-(c)  
5 [addressing Base Annual Production and associated rights in the Baja Subarea]; 9, § II(A)(4)(m)  
6 [separately defining the “Harper Lake Basin” in the Centro Subarea]; 13, § II(A)(4)(mm)  
7 [identifying the “Transition Zone” of the Alto Subarea].) I am aware that is because pumping in  
8 one part of the Mojave Basin may not impact other areas of the Mojave Basin due to the Mojave  
9 Basin’s geologic diversity and hydrological variation. (See, e.g., Judgment at 6, § II(A)(3)  
10 [“Absent the construction of conveyance facilities, some Subareas may be deprived of an  
11 equitable share of the benefits made possible by the Physical Solution.”].)

### 12 SUMMARY OF OPINIONS

13 18. The SMR Property is located in the Harper Valley basin, which is a closed  
14 watershed separated from the Mojave River watershed by faulting and low ridges.

15 19. There are at least two groundwater aquifers underlying the SMR Property: a  
16 shallow, upper aquifer (“shallow aquifer”) and a deep, lower aquifer (“deep aquifer”).

17 20. The deep aquifer has little to no hydrologic connectivity with the rest of the  
18 Mojave Basin based on, among other things, isotope data, water quality testing, static water level,  
19 and current understandings of hydrologic barriers and groundwater flow directions.

20 21. The shallow aquifer has little to no hydrologic connectivity with the rest of the  
21 Mojave Basin based on, among other things, water quality testing, static water level, and current  
22 understandings of hydrologic barriers and groundwater flow directions.

23 22. Historical pumping of the shallow aquifer by SMR and SMR’s predecessors has  
24 had no documented impact on other wells or on the quantity or quality of groundwater in the  
25 Mojave Basin, and therefore has had no documented impact on the adjudicated pumping  
26 allocations under the Judgment.

27 23. The shallow and deep aquifers have little to no hydrologic connectivity between  
28 them based on, among other things, isotope data and water quality testing.

1           24.     The deep aquifer was first confirmed to underlie the SMR Property in 2022.

2           25.     The deep aquifer was discovered after entry of the Judgment and was not included  
3 in the native safe yield in the Judgment.

4           26.     The deep aquifer has never before been pumped to extract groundwater from  
5 underneath or near the SMR Property (other than those limited extractions for testing purposes as  
6 described in this declaration).

7           27.     Because the deep aquifer under the SMR Property has little to no hydrologic  
8 connectivity to the rest of the Mojave Basin, pumping of the deep aquifer will not have an  
9 adverse impact on the groundwater in the Mojave Basin nor on the adjudicated pumping  
10 allocations under the Judgment should SMR be allowed to pump water from the deep aquifer.

11          28.     The shallow aquifer under the SMR Property has little to no hydrologic  
12 connectivity to the rest of the Mojave Basin, and decades of historical pumping data indicate that  
13 pumping from the shallow aquifer has not had, and does not have, any documented impact on the  
14 Mojave Basin. Because of this lack of impact, continued pumping of the shallow aquifer by SMR  
15 will not have an adverse impact on the groundwater in the Mojave Basin nor on the adjudicated  
16 pumping allocations under the Judgment.

17          29.     A summary table of the key factors analyzed and a graphical representation of  
18 their results is contained in Figures 1A and 1B.

19                                   **SHADOW MOUNTAIN RANCH**

20          30.     The SMR Property is located within the rain-shadow of California's San Gabriel  
21 and San Bernardino Mountains in the Mojave Desert. The Mojave Desert is an internally drained  
22 wedge bound by the Garlock fault to the north and the northwest-southeast trending San Andreas  
23 fault. The landscape consists of isolated mountain ranges and sprawling desert plains extending  
24 into southern Nevada.

25          31.     DBS&A's technical reviews for SMR covered a 631 acre property and the  
26 surrounding areas north of Harper Dry Lake, a playa, and south of Black Mountain, an  
27 outcropping of basalt ("SMR Property"). The SMR Property is roughly one square mile and  
28

1 encompasses most of Section 5, T11N, R3W of the San Bernardino meridian. A map of the SMR  
2 Property and its general vicinity is in Figure 2.

3 32. The general geology of the SMR Property consists of alluvial fan deposits and  
4 basalt flows. Depth to basalt under the SMR Property ranges from about 190 feet below ground  
5 surface (“bgs”) to 540 feet bgs in 12 wells on the SMR Property.

6 33. Aside from the Black Mountain basalt outcrop to the north of the SMR Property,  
7 topography in the area is relatively flat and gently slopes down to the Harper Dry Lake located to  
8 the southwest of the SMR Property.

9 34. The Mojave River, flowing southwest to northeast in its nearest reach, is  
10 approximately 13 miles southeast of the SMR Property.

11 35. The unincorporated community of Hinkley is located nine miles south of the SMR  
12 Property, and Barstow, the nearest city, is approximately 15 miles to the southeast of the SMR  
13 Property. The Mojave Solar Project (also known as the Abengoa Mojave Solar Project) is located  
14 on the south side of Harper Dry Lake, southwest of the SMR Property. Edwards Air Force Base  
15 property is located within 20 miles of the SMR Property to the southwest, west of Kramer  
16 Junction. SMR Property is located within Base airspace.

17 36. The SMR Property falls within the jurisdictional boundary of the Centro Subarea  
18 of the Mojave Basin. Certain waters within the Centro Subarea have been adjudicated since 1996  
19 and are governed by a Watermaster appointed by the Court.

20 37. The Mojave Basin is currently designated as a “very low” priority basin according  
21 to the California Department of Water Resources (“DWR”) since the majority of the Mojave  
22 Basin is adjudicated and therefore exempt from regulations required by the 2014 Sustainable  
23 Groundwater Management Act, commonly known as SGMA.

24 38. The SMR Property was formally known as Oasis Ranch, which contained  
25 additional acreage. Oasis Ranch operated as an active alfalfa farm and reported an estimated  
26 pumping of approximately 10,000 acre-feet (“AF”) per year (“AFY”) from its on-site wells. Other  
27 estimates of SMR Property pumping capacity have varied from 5,300 AFY to 9,300 AFY.  
28

39. The previous owner of the SMR Property, Curt Jahnke and Ace Exploration & Water Drilling Company, pumped quite extensively from the shallow aquifer, and water levels quickly recovered.

40. SMR has also pumped groundwater from the shallow aquifer.

### **METHODOLOGY**

41. DBS&A performed various technical assessments of both the shallow and deep aquifers underlying the SMR Property.

42. DBS&A reviewed 20+ years of available studies, reports, models, and other engineering materials and information to assess the potential for fault lines, groundwater flow gradients, water quality, and other indicators of or barriers to hydrologic connectivity between the SMR Property and the rest of the Mojave Basin.

43. DBS&A analyzed test samples of groundwater quality from both the shallow aquifer and the deep aquifer and compared those results to other samples from throughout the Mojave Basin to assess hydrological connectivity. Among other items, DBS&A tested and analyzed the static water level, the prevalent chemical character of the water, and the presence of arsenic, boron, sulfate, chloride, sodium, and total dissolved solids (“TDS”) in the water.

44. DBS&A also conducted groundwater sampling for isotopic analyses of, among other things, tritium and radiocarbon in both the shallow and deep aquifers. The sampling and laboratory analyses were performed as part of a geochemical characterization of both the deep aquifer and the shallow aquifer that has been historically used as an agricultural water supply. The isotopes selected for laboratory analyses serve as inherent indicators in all groundwater systems that are routinely used in characterizing groundwater ages, recharge, and depositional environment, including:

- a. DBS&A analyzed the groundwater samples for tritium (TU) and radiocarbon (carbon-14) content. Groundwater samples containing tritium have been exposed to the atmosphere in the mid-1950s or later, when atmospheric atomic bomb testing released tritium into the atmosphere. Samples without tritium suggest the water has not been exposed to the

atmosphere since before the mid-1950s, so tritium presence is commonly used to identify “modern water.”

- b. DBS&A also performed radiocarbon analyses to age date groundwater samples (which can go back as far back as 24,000 years before present (“YBP”)). Radiocarbon analyses are based on the principles of radioactive decay regarding the element carbon, in which residual radioactivity is measured from the breakdown of unstable isotope carbon-14 to stable isotopes carbon-12 and carbon-13. Carbon-14 dating is a primary geochemical tracer for determining groundwater residence time (when the water was last in contact with the atmosphere and went underground).

45. DBS&A staff conducted isotope sampling at two well locations on the SMR Property: (1) an existing irrigation well in the southwest quadrant of the SMR Property that was constructed in February 2019, screened in the shallow aquifer from 85 feet bgs to 286 feet bgs (“Well #3”); and (2) a newly-constructed monitoring well in the center of the SMR Property, screened in the deep aquifer from 520 feet bgs to 900 feet bgs (“Test Well”). The Test Well was constructed specifically to isolate the deep aquifer from the shallow aquifer.

**SMR PROPERTY IS WITHIN THE HARPER VALLEY BASIN**

46. DWR’s Bulletin 118 (as amended) has designated the groundwater basin covering the SMR Property as the Harper Valley Groundwater Basin (“Harper Valley basin”) with the corresponding Basin ID 6-47. The Harper Valley basin contains the Harper Dry Lake playa area.

47. The SMR Property is also located within the Centro Subarea of the Mojave Basin, as defined by the Judgment.

48. DWR’s mapping of the Harper Valley basin is the more appropriate groundwater basin definition for the SMR Property when compared to the Centro Subarea for at least three reasons.

49. First, the Harper Valley basin has a smaller boundary that is more closely aligned with the SMR Property’s boundaries. The Centro Subarea is substantially larger and over-



1 inclusive in both land size and geologic diversity, and is not an accurate approximation of the  
2 SMR Property's geology.

3 50. Second, there are geologic barriers between the Harper Valley basin and the rest of  
4 the Mojave Basin, especially where the Mojave River is located. These barriers limit the  
5 underground flow of Mojave River water into the Harper Valley basin. Because such flows are  
6 also limited or nonexistent into the SMR Property, the Harper Valley basin is also a better  
7 approximation of the SMR Property when assessing groundwater inflow.

8 51. Third, the Harper Valley basin is a closed watershed separated from the Mojave  
9 River watershed by faulting and low ridges. As a result, runoff generated from precipitation over  
10 the SMR Property does not flow into the Mojave River watershed, but instead flows into the  
11 lowest point in its watershed (i.e., Harper Dry Lake).

12 52. The SMR Property and the Harper Valley basin are not, however, synonymous.  
13 For example, the SMR Property is smaller than the Harper Valley basin, and the two areas likely  
14 have different sources of groundwater inflow.

#### 15 **SMR PROPERTY GROUNDWATER INFLOW AND OUTFLOW**

##### 16 **Mojave River**

17 53. The dominate source of groundwater recharge to upper aquifers in the Harper  
18 Valley basin is underflow of percolated Mojave River water that flows through gaps in the low  
19 bedrock hills. This opinion is supported by groundwater flow directions and gradients inferred  
20 from groundwater level contouring. In addition, lower TDS groundwater is observed along  
21 presumed groundwater flow paths extending northwest from beneath the Mojave River through  
22 the Red Hill gap and towards the playa. Reasonable underflow recharge estimates range from  
23 1,000 AFY to 2,700 AFY.

24 54. Groundwater flow paths are generally down-gradient in the direction of the Harper  
25 Dry Lake playa area.

26 55. The SMR Property is located up-gradient from the Harper Dry Lake playa area.  
27 The SMR Property therefore is likely out of the direct flow path of percolated Mojave River  
28 water.

57. Figure 3 provides a visual depiction of the Harper Dry Lake playa area and conceptualized groundwater flow paths. Figure 3 is a simplified Google Earth “cartoon-type” Harper Dry Lake playa area conceptual diagram, view obliquely north.

58. Limited recharge occurs from precipitation. Such recharge is poorly quantified and in general only occurs when seasonal rainfall exceeds 8 inches. Little to no precipitation ultimately reaches the groundwater because of the region's high evapotranspiration rates.

60. The SMR Property falls within the 5 inches per year Parameter-elevation Regressions on Independent Slopes Model (PRISM) 1980 to 2010 average precipitation contour.

62. While precipitation may recharge the aquifers in wet years, precipitation values are typically too low to provide any meaningful recharge.

## CONNECTIVITY WITH THE REST OF THE MOJAVE BASIN

63. Historical groundwater pumping of the shallow aquifer has had no documented impact on the groundwater quantity or quality in the Mojave Basin. Therefore, because the shallow and deep aquifers have little to no hydrologic connectivity with the rest of the Mojave Basin, pumping of the deep aquifer will also have no impact on the Mojave Basin.

64. Transmissivity and hydraulic conductivity estimates of the shallow aquifer beneath the SMR Property were determined in 2011 by Barto, and then reevaluated by DBS&A based on 2020 and 2021 shallow aquifer tests which evaluated the extent of groundwater drawdown.

65. Test results confirmed that offsite well 11N03W07D01S, located to the southwest of and outside of the SMR Property, is not affected by pumping from the shallow aquifer underneath the SMR Property. Specifically, this offsite well has not shown any impact from short-term pumping events at SMR Property.

66. Offsite well 11N03W16D01S, also located to the southwest of and outside of the SMR Property, is also not affected by pumping from the shallow aquifer underneath the SMR Property.

67. Despite the many decades and many thousands of AF of groundwater that have been pumped from the shallow aquifer underlying the SMR Property, no well has been identified as having been impacted by pumping at the SMR Property from approximately 1980 to the present.

68. This lack of any documented impact supports the conclusion that pumping from the SMR Property has not impacted and will not in the future impact the groundwater levels on SMR Property's or in the Mojave Basin, and, therefore, such pumping does not and will not impact the adjudicated groundwater in the Mojave Basin.

### **Water Quality**

69. Water quality results in the Harper Dry Lake playa area within the Centro Basin generally contain TDS over 1,000 mg/L.

70. Water quality results from two United States Geological Survey ("USGS") wells, USGS 350049117122101 and USGS 345428117101701 (collectively, "USGS Wells"<sup>2</sup>), contain TDS of approximately 490 to 500 mg/L.

71. Well water samples taken from the shallow aquifer underlying the SMR Property showed that the water in the shallow aquifer contains TDS of approximately 700-800 mg/L.

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<sup>2</sup> These are two groundwater wells monitored by USGS. They are located within the Mojave Basin south and east of the SMR Property.

72. Higher TDS generally equates to a worse water quality. Therefore, the water quality of the shallow aquifer underlying the SMR Property is better than the water quality in the Harper Dry Lake playa area, but slightly worse than the water quality south and east of the SMR Property.

73. The difference in TDS indicates that the shallow aquifer underlying the SMR Property is hydrologically disconnected from the Harper Dry Lake playa area and the rest of the Mojave Basin.

74. The prevalent chemical character of the groundwater from the shallow aquifer is sodium chloride. The prevalent chemical character of the groundwater from USGS 350049117122101 and USGS 345428117101701 is sodium/potassium and bicarbonate.

75. The boron in the shallow aquifer is 3.2 mg/L. The boron in USGS 350049117122101 is 641 mg/L, and in USGS 345428117101701 is 164 mg/L.

76. The chloride in the shallow aquifer is 204 mg/L. The chloride in USGS 350049117122101 is 43.1 mg/L, and in USGS 345428117101701 is 63 mg/L.

77. The different chemical characters, boron levels, and chloride levels of groundwater samples from the shallow aquifer (Well #3) and the USGS Wells further indicate that the shallow aquifer underlying the SMR Property is hydrologically disconnected from the rest of the Mojave Basin.

### **Faults**

78. Faults are often hydrological barriers to water connectivity, including within the Mojave Basin and its Subareas. (See Judgment at 29, § V(C)(28).)

79. There are several known mapped faults in the Harper Dry Lake playa area, including:

- a. Harper Lake fault (Waterman fault on some maps)
- b. Mt. General fault
- c. Lenwood-Lockhard fault zone (unnamed north splays and main Lockhart fault)

80. These faults trend similar to the regional fault trend of northwest-southeast.

1           81.     Several reports noting transmissivity and conductance values used in USGS  
2 groundwater models identify these major faults as partial barriers to groundwater flow.

3           82.     The mapped trace of the Harper Lake fault (Waterman fault) trends through the  
4 northeast corner of the SMR Property. The fault is not visible and does not have any known  
5 surface expressions (such as ridges or hills) on or near the SMR Property. This fault is identified  
6 by some investigators as a partial barrier to groundwater flow on the south end of its trace near  
7 the Mojave River along the boundary of the Centro and Baja Subareas.

8           83.     Another splay, or outward spread, of the Harper Lake fault is mapped to the  
9 northwest and southeast of the SMR Property.

10          84.     These faults have been mapped in other locations. Near the SMR Property, the  
11 locations of these faults have largely been inferred from groundwater flow models wherein a  
12 barrier (full or partial) to groundwater flow was needed to ensure that the models balanced out  
13 appropriately and replicated documented water level data. Some, but not all, of these inferred  
14 faults have been identified in the field.

15          85.     A map of the relevant faults is contained in Figure 4.

16           **THE TWO GROUNDWATER AQUIFERS UNDERLYING THE SMR PROPERTY**  
17           **HAVE LITTLE TO NO HYDROLOGIC CONNECTIVITY WITH EACH OTHER**

18          86.     There are at least two documented groundwater aquifers underlying the SMR  
19 Property.

20          87.     The shallow aquifer beneath the SMR Property is 190 to 536 feet thick based on  
21 the depth to basalt reported for SMR Property wells, and contains fine-grained layers (silts and  
22 clays) typically 10-40 feet thick, but as much as 70 feet thick. This shallow aquifer ranges from  
23 confined to unconfined and is composed of alluvial sediments from the land surface down to a  
24 basalt layer associated with a regional volcanic flow event.

25          88.     The shallow aquifer is the principal aquifer that has been used for historical  
26 irrigation extractions of groundwater on the SMR Property, as noted in paragraphs 38 to 40.

1           89. All wells monitored on the SMR Property, along with all current known  
2 groundwater pumping in the Harper Dry Lake playa area, are all screened in the shallow aquifer,  
3 with the exception of the Test Well in the deep aquifer.<sup>3</sup>

4           90. In 2022, the deep aquifer was first encountered beneath the basalt layer underlying  
5 the SMR Property.

6           91. Figure 5 demonstrates the conceptual generalized geology underlying the SMR  
7 Property.

8           92. Well water samples taken from the deep aquifer underlying the SMR Property  
9 show that the water in the deep aquifer contains TDS at 4,700 mg/L.

10           93. TDS in the shallow aquifer was substantially lower, ranging from 700-800 mg/L,  
11 as noted in Figure 1B and paragraph 71, above.

12           94. A summary of the water quality differences between the shallow and deep aquifers  
13 is contained in Figures 1A and 1B. They include:

- 14                   a. The shallow aquifer contains arsenic at 55 ug/L, whereas the deep aquifer  
15                   contains arsenic at 22 ug/L.
- 16                   b. The shallow aquifer contains boron at 3.2 mg/L, whereas the deep aquifer  
17                   contains no presence of boron.
- 18                   c. The shallow aquifer contains 165 mg/L of sulfate, whereas the deep aquifer  
19                   contains 530 mg/L of sulfate.
- 20                   d. The shallow aquifer contains 204 mg/L of chloride, whereas the deep  
21                   aquifer contains 1,400 mg/L of chloride.
- 22                   e. The shallow aquifer contains 233 mg/L of sodium, whereas the deep  
23                   aquifer contains 530 mg/L of sodium.

24           95. The difference in TDS, arsenic, boron, sulfate, chloride, and sodium all  
25 demonstrate that the water quality varies substantially between the shallow and deep aquifers.  
26

27  
28 <sup>3</sup> SMR drilled an additional exploratory production well, which was screened in both the shallow  
and deep aquifer. That well was not used and is not currently in use.

1           96.     Isotope sampling further demonstrates that the water in the deep aquifer and the  
2 water in the shallow aquifer are hydrologically disconnected.

3           97.     In 1995, USGS collected well water samples and analyzed those samples for,  
4 among other things, tritium and carbon-14 to determine the source, movement, and age of  
5 groundwater in the Mojave River basin area. The findings for tritium and carbon-14 included:

- 6                   a. Groundwater in the Mojave River basin alluvial aquifer, consisting of river  
7 deposits along the present channel of the Mojave River, was determined to  
8 contain tritium and was recently recharged by the Mojave River.
- 9                   b. Groundwater in the regional aquifer, which surrounds the alluvial aquifer  
10 and is underlain by older alluvium and fan deposits, near Summit Valley  
11 and in several underlying washes, was determined to contain tritium  
12 (although most of the water does not), and was recharged less than 2,400  
13 years ago.
- 14                  c. Groundwater in the regional aquifer even farther down-gradient and away  
15 from the Mojave River was recharged more than 20,000 years ago, and no  
16 significant recharge occurs under present climactic conditions.

17           98.     The USGS concluded that, within the Mojave Basin, deeper aquifers were  
18 recharged under climatic conditions different from average conditions today and may be more  
19 than 20,000 years old. Shallower aquifers contain indicators of present climatic conditions and  
20 were recharged more recently.

21           99.     USGS findings are consistent with DBS&A findings under the SMR Property.

22           100.    DBS&A took samples from two wells—Well #3 and the Test Well—on the SMR  
23 Property and conducted similar tests to those completed by USGS. The results were consistent  
24 with the trends identified by USGS. Specifically, laboratory test results demonstrated the  
25 following (also depicted in Figure 1B):

- 26                   a. The apparent radiocarbon age of the deep aquifer is 20,130 YBP, and the  
27 shallow aquifer is 7,220 YBP.

b. Tritium content in the deep aquifer is <0.64 TU, and in the shallow aquifer is <0.65 TU (essentially, tritium was not detected in either aquifer).

101. Radiocarbon (carbon-14) dating is a laboratory analysis that provides objective age estimates for various materials, including water. Carbon-14 is an isotope of the element carbon; it is unstable and weakly radioactive. Carbon-14 content decreases at a rate determined by the law of radioactive decay, therefore, radiocarbon dating is essentially a method designed to measure residual radioactivity.

102. The difference in the apparent radiocarbon ages of the water samples supports the idea that the water in the shallow and deep aquifers are of different ages.

103. The apparent radiocarbon ages further suggest that, given the shallow aquifer is dated to over 7,000 YBP and the deep aquifer is dated to over 20,000 YBP, these two aquifers have not received any recharge from the Mojave River for many thousands of years, demonstrating that both aquifers are hydrologically disconnected from the Mojave River and the adjudicated water of the Judgment.

104. The dramatically different radiocarbon ages implies little to no connection between the shallow and deep aquifers.

105. The absence of tritium in the shallow aquifer supports the conclusion that the shallow aquifer has not been recharged with modern water and therefore is hydrologically disconnected from the Mojave River and the adjudicated water of the Judgment.

106. The absence of tritium in the deep aquifer supports the conclusion that the deep aquifer is not being recharged with modern water from the Mojave River.

107. Based on geologic inference, the water in the deep aquifer is not moving much, if at all, and there is no known extraction of water via pumping from the deep aquifer. Therefore, the absence of tritium, radiocarbon age, and that there is no known outflow from the deep aquifer, support the conclusion that the water in the deep aquifer has an age of more than 20,000 YBP.

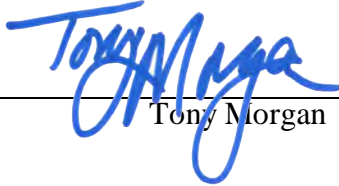
108. These analytical results support the conclusion that the shallow and deep aquifers are of different ages and are therefore separate aquifers with little to no hydrologic connectivity.

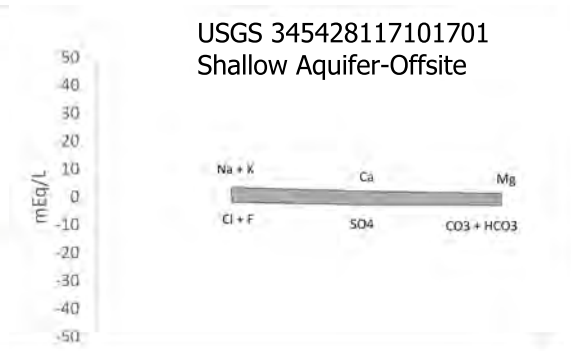
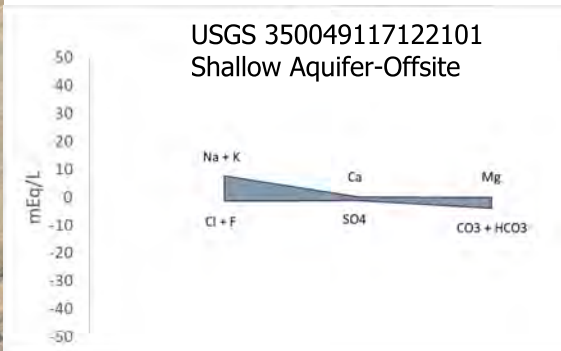
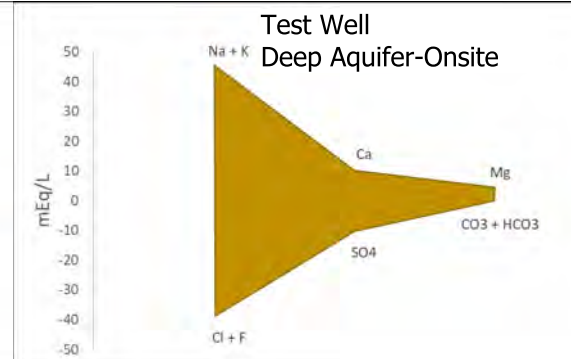
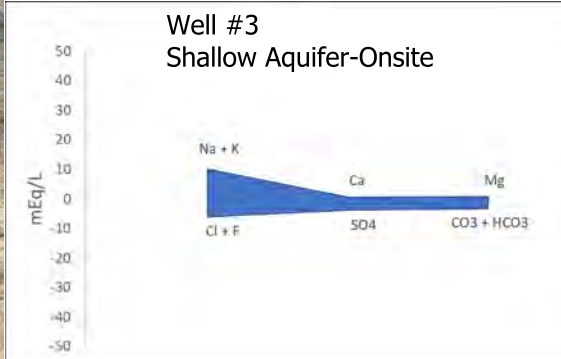
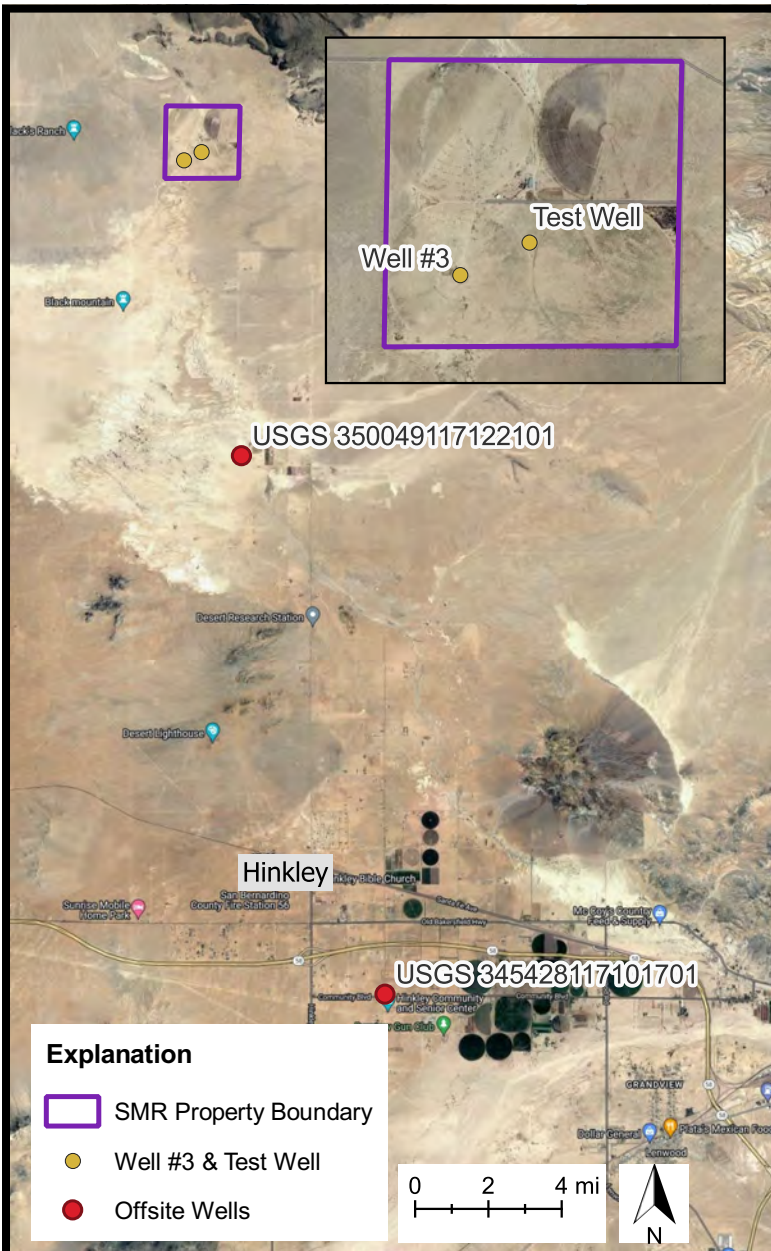


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I declare under penalty of perjury under the laws of the State of California that the  
forgoing is true and correct.

Executed this 1st day of November, 2023, at Ventura,  
California.

  
\_\_\_\_\_  
Tony Morgan



**Notes:**

1. The Test Well is screened in the deep aquifer. Well #3 is screened in the shallow aquifer.
2. USGS Well 350049117122101 is 250 ft deep. USGS Well 345428117101701 is 122 ft deep.

Source: SMR Isotopic Data, [nwis.waterdata.usgs.gov](http://nwis.waterdata.usgs.gov)

**SHADOW MOUNTAIN RANCH  
Shallow and Deep Aquifer Comparison**

Well ID	Aquifer	Sample Date	Apparent Radiocarbon Age (YBP)	Tritium Content (TU)
Test Well	Deep	9/7/2022	20,130	<0.64
Well #3 New	Shallow	9/7/2022	7,220	<0.65

YBP = years before present

TU = tritium units, where 1 TU is equal to one atom of tritium (3H) per 1018 atoms of hydrogen (H)

	Test Well	Well #3	USGS 350049117122101	USGS 345428117101701
	Deep Aquifer	Shallow Aquifer	Total Depth 250 ft	Total Depth 122 ft
Prevalent Chemical Character	Sodium chloride	Sodium chloride	Sodium/Potassium & Bicarbonate	Sodium/Potassium & Bicarbonate
Total Dissolved Solids (mg/L)	4,700	800	~490	~500
Arsenic (ug/L)	22	55	39.6	0.65
Boron (mg/L)	NA	3.2	641	164
Sulfate (mg/L)	530	165	56.5	143
Chloride (mg/L)	1,400	204	43.1	63
Sodium (mg/L)	530	233	173	74.4
Static Water Level (ft below ground surface)	84.5*	79.75**	125.11***	109.35***

Water Level (WL)

\* WL taken from well sounder on 3/17/2023 at 8:47am

\*\* WL taken from Ranch Systems on 3/17/2023 at 08:45am

\*\*\*WL measured by USGS on 4/19/2017 and 05/04/2017

#### Notes:

1. The Test Well is screened in the deep aquifer. Well #3 is screened in the shallow aquifer.
2. These analytical results support the hypothesis that the shallow and deep aquifers are of different ages and are therefore separate aquifers. The disparate apparent radiocarbon ages implies the groundwater flux between the aquifers, if any, is likely very small.
3. The chemical data also shows that the shallow and deep aquifers have significantly different chemical composition, suggesting little to no vertical connection between the two aquifers.

Source: SMR Isotopic Data, [nwis.waterdata.usgs.gov](https://nwis.waterdata.usgs.gov)

## SHADOW MOUNTAIN RANCH Shallow and Deep Aquifer Comparison



10/25/2023

a Geo-Logic Company  
DB19.1031

Figure 1B





**Legend**

 Centro Subarea

0 7.5 15 mi



**Notes:**

1. Location of Shadow Mountain Ranch in the Centro Subarea



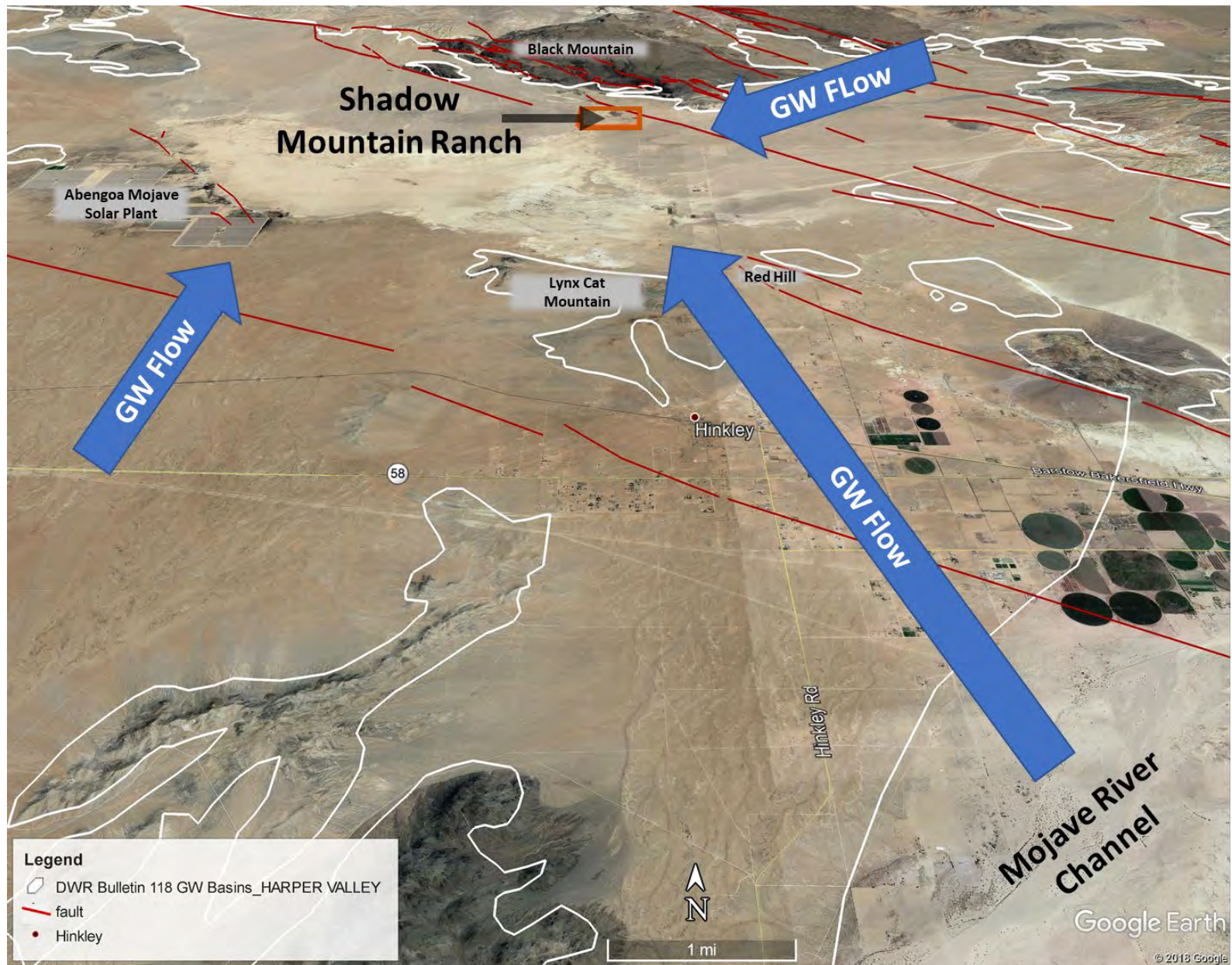
a Geo-Logic Company  
DB19.1031

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**SHADOW MOUNTAIN RANCH  
Site Location**

Figure 2





SHADOW MOUNTAIN RANCH  
CONCEPTUAL GROUNDWATER FLOWPATHS







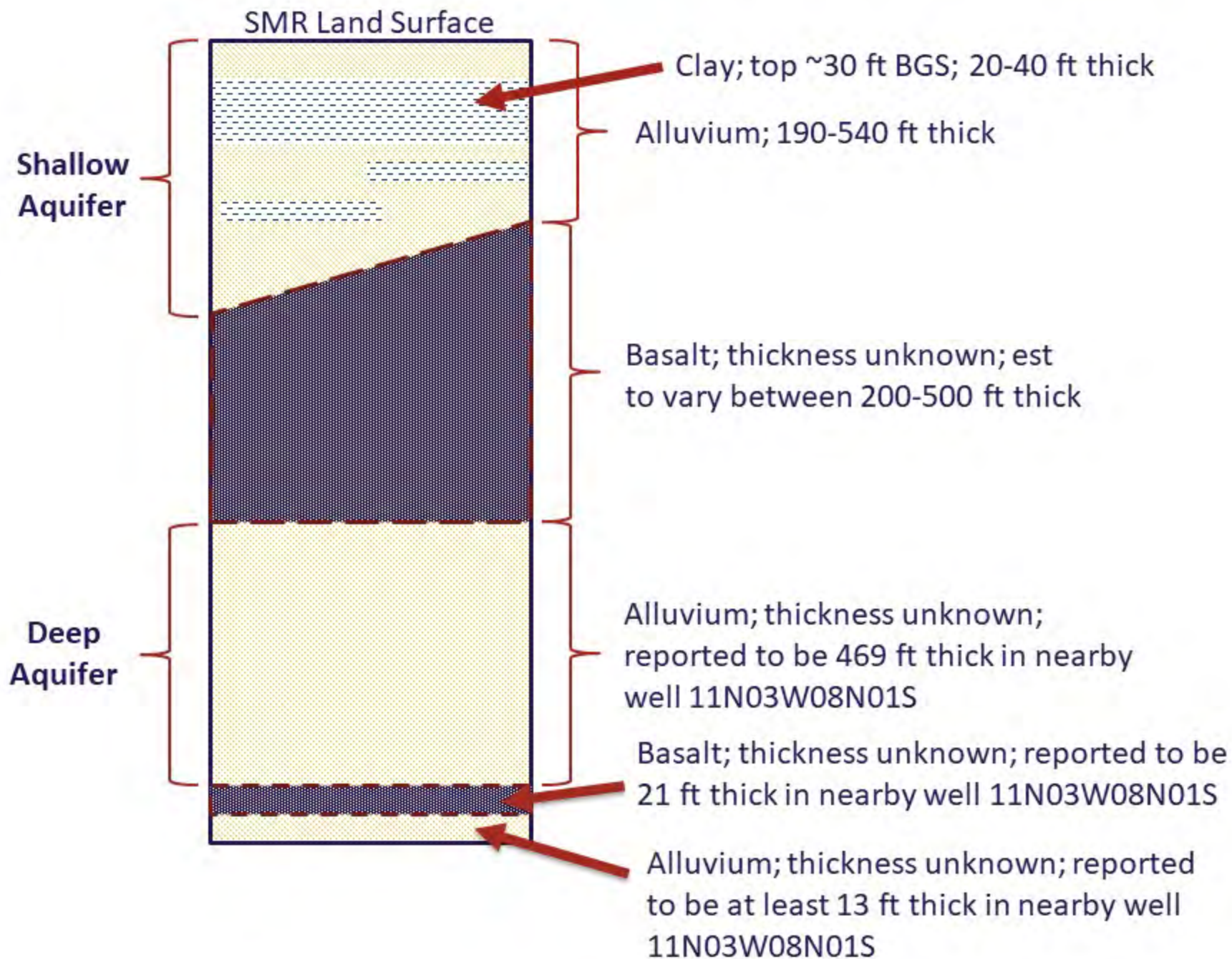


Figure 5

# Exhibit 1



**EDUCATION  
&  
SPECIALIZED  
TRAINING**

- Indiana University, Bloomington, Indiana, 1984, MA-Geology (Quaternary Geology Specialization with Hydrogeology and Geotechnical Engineering Minors)
- Indiana University, Indianapolis, Indiana, 1979, BS-Geology (Specialization in Hydrogeology and Quaternary Geology)
- OSHA Site Safety Supervisor Training for Hazardous Waste Operations (8-hour course), 1989
- OSHA 40--Hour Hazardous Waste Site Operations Training (HAZWOPER), 1987
- HAZWOPER Annual Updates 1987-2008
- Technical Assistance Team (TAT) and Emergency Response Training (16-hour course), 1988
- Paleoseismicity and Active Tectonics, Geological Society of America Short Course, 1987
- Archaeological Geology: Environmental Siting and Material Usage, Geological Society of America Penrose Conference

**PROFESSIONAL  
REGISTRATIONS &  
CERTIFICATIONS**

*Professional Geologist, California, No.4178*  
*Certified Hydrogeologist, California, No.159*

**PROFESSIONAL  
EXPERIENCE  
SUMMARY**

- Daniel B. Stephens and Associates, Inc. (a Geo-Logic Company), Vice President - Principal Hydrogeologist - Market Leader for Water Planning and Development
- Groundwater Strategies, Inc. - Principal Hydrogeologist
- United Water Conservation District - Deputy General Manager for Groundwater & Water Resources
- Layne GeoSciences & COLOG Group, Layne Christensen Company - Manager Western Region
- California State University, San Bernardino - Instructor for Hydrogeology
- Quaternary Investigations, Inc. - Principal / Hydrogeologist
- ICG Hydrotech, Inc. - Office Manager / Associate Geologist
- Ecology & Environment, Inc. - Chief Hydrogeologist
- Tetra Tech, Inc. - Senior Hydrogeologist
- URS-Berger - Staff Geologist
- Earth Technology Corporation - Staff Geologist

<p><b>DANIEL B. STEPHENS AND ASSOCIATES, INC.</b></p> <p><b>(A GEO-LOGIC COMPANY)</b></p> <p><b>SANTA BARBARA, CA</b></p> <p><i>Vice President</i></p> <p><i>Principal Hydrogeologist</i></p> <p><i>Market Leader - Water Planning and Development</i></p> <p><i>2018 - present</i></p>	<p>Corporate lead for <i>Water Planning and Development</i> market across eight western States. Consultant for water supply, water management, and hydrogeological programs for municipal, industrial, and agricultural applications. Experienced with technical activities such as:</p> <ul style="list-style-type: none"> <li>✓ Sustainable Groundwater Management Act (SGMA) compliance activities (e.g., formation of Groundwater Sustainability Agencies [GSAs], creation of Groundwater Sustainability Plans [GSPs], groundwater basin studies);</li> <li>✓ Oversight of basin-wide groundwater elevation and water-quality monitoring programs;</li> <li>✓ Development of basin-scale hydrostratigraphic models for use in groundwater flow models;</li> <li>✓ Design of surface geophysical (e.g., CSAMT, TDEM, resistivity, and gravity) exploration programs for groundwater resource and sea-water intrusion evaluations;</li> <li>✓ Acquisition and interpretation of borehole geophysical logs;</li> <li>✓ Oversight of development, calibration, and documentation of basin-scale groundwater flow models;</li> <li>✓ Evaluation of water-quality data for potable and irrigation suitability;</li> <li>✓ Directing exploration activities to identify new or underutilized groundwater resources;</li> <li>✓ Siting and design of new potable and irrigation water supply wells; and</li> <li>✓ Technical oversight of aquifer replenishment activities (i.e., surface water diversions, spreading basins).</li> </ul> <p>Experienced with administrative/management activities such as:</p> <ul style="list-style-type: none"> <li>✓ Development of project scopes of work, bid specifications, and budgets;</li> <li>✓ Contract negotiations with specialty subcontractors and consultants (e.g., drillers, geophysicists, modelers, geochemists) and clients;</li> <li>✓ Technical and business development presentations;</li> <li>✓ Management of teams of hydrogeologists, groundwater modelers, surface water hydrologists, and technicians to achieve project, agency, or firm goals;</li> <li>✓ Management of multi-disciplinary teams of hydrogeologists, engineers, environmental scientists, and drillers;</li> <li>✓ Project management to accomplish technical, schedule, and fiscal guidelines; and</li> <li>✓ Administrative tasks associated with personnel management (e.g., time and expense tracking, performance evaluations, staff mentoring).</li> </ul>
<p><b>GROUNDWATER STRATEGIES, INC.</b></p> <p><b>VENTURA, CA</b></p> <p><i>Principal Hydrogeologist</i></p> <p><i>2018</i></p>	<p>Consultant to groundwater management programs for industrial and agricultural applications:</p> <ul style="list-style-type: none"> <li>✓ Sustainable Groundwater Management Act (SGMA) compliance activities (e.g., formation of Groundwater Sustainability Agencies [GSAs], creation of Groundwater Sustainability Plans [GSPs], groundwater basin studies)</li> </ul>

<p><b>UNITED WATER CONSERVATION DISTRICT, SANTA PAULA, CA</b></p> <p><i>Deputy General Manager for Groundwater &amp; Water Resources</i></p> <p>2014-2018</p>	<p>Direction of District's groundwater supply and aquifer replenishment activities and general water resource planning tasks. Lead person for compliance with Sustainable Groundwater Management Act and directing the District's role in the formation of Groundwater Sustainability Agencies (GSAs) in three groundwater basins including coordination of the District's role with the Fox Canyon Groundwater Management Agency / GSA. Served as District's representative on groundwater or water resource matters before various entities (e.g., Fox Canyon Groundwater Management Agency, Ventura County Farm Bureau, CA Department of Water Resources, Association of CA Water Agencies, Groundwater Resource Association of CA, local municipalities and agricultural groups, and various other stakeholders). Litigation support team member. Lead project proponent for the proposed development of the South Oxnard Plain Brackish Water Treatment Plant, Piru solar power array, and Fillmore-Piru Basin Water Banking program. Served on several groundwater/water resource advisory committees including:</p> <ul style="list-style-type: none"> <li>▪ <b>Technical Advisory Group (TAG)</b> for Groundwater Sustainability Plan development for four basins in support of the Fox Canyon Groundwater Management Agency/GSA</li> <li>▪ <b>Technical Advisory Committee (TAC)</b> – United Water Conservation District representative to Santa Paula Basin adjudication</li> <li>▪ <b>Joint Powers Agreement Negotiation Team</b> - United Water Conservation District representative in the negotiations to create JPAs to form the Mound Basin GSA and the Fillmore and Piru Basins GSA</li> <li>▪ <b>Acting Lead Technical Staff</b> – Served as lead technical staff to the Fillmore and Piru Basins GSA</li> <li>▪ <b>ACWA Groundwater Committee</b> – Agency representative to Association of California Water Agencies Groundwater Committee</li> <li>▪ <b>Watershed Coalition of Ventura County</b> – Agency representative to the Steering Committee</li> <li>▪ <b>Santa Clara River Watershed Committee</b> – Agency representative to this stakeholder group</li> </ul>
<p><b>UNITED WATER CONSERVATION DISTRICT, SANTA PAULA, CA</b></p> <p><i>Groundwater Department Manager</i></p> <p>2009-2014</p>	<p>Groundwater Department Manager overseeing eight professional and technical staff responsible for maintaining groundwater supply and quality in all, or parts of, eight groundwater basins in Ventura County. Key departmental activities included, but were not limited to, preparation of groundwater management plans, collecting and analyzing water level and water quality data from 400 wells in the District, development of basin conceptual models from borehole and surface geophysical data, preparation of a regional groundwater flow model, technical support for AB3030 Groundwater Management Council and other water management entities, performing surface geophysical surveys to characterize aquifer geometry, monitoring hydrogeologic impacts of the District's aquifer recharge program, and monitoring of sea water intrusion in coastal areas. Litigation support team member.</p>

<p><b>LAYNE GEOSCIENCES &amp; COLOG GROUPS</b></p> <p><b>LAYNE CHRISTENSEN COMPANY</b></p> <p><b>FONTANA, CA</b></p> <p><i>Manager-Western Region</i></p> <p><i>1997-2009</i></p>	<p>Manager for groundwater exploration, water supply development projects, aquifer storage and recovery facility siting programs, well design, and downhole geophysical logging programs for the western U.S. (CA, AZ, NV, UT, OR, WA, ID). Provided hydrogeological evaluations in support of potable water and irrigation well siting projects. Evaluated water chemistry data with respect to drinking water standards. Conducted contract negotiations with water districts, private developers, regional water purveyors and others for technical services. Expanded technical services to include surface and borehole geophysics: Optical TeleViewer System (OPTV), HydroPhysics, CSAMT, and GIS. Oversaw technical and administrative operations for Western Region operations of two groups of Layne Christensen Company: Layne GeoSciences and COLOG. Directed Research and Development activities associated with well hydraulic performance assessments and use of borehole geophysical techniques to evaluate well rehabilitation efforts. Administrative responsibilities include business development activities (e.g., presentations to potential clients, proposal preparation, contract administration, development of business promotion brochures), personnel development in Western Region, and financial planning and forecasting.</p>
<p><b>CALIFORNIA STATE UNIVERSITY - SAN BERNARDINO</b></p> <p><i>Instructor- Hydrogeology</i></p> <p><i>Dept. of Geological Sciences</i></p> <p><i>2000-2001</i></p>	<p>Taught hydrogeology courses to upper-level undergraduate and graduate students: GEOL375 <i>Introduction to Hydrogeology</i> and GEOL376 <i>Field Methods in Hydrogeology</i>. Developed course curricula and recommended library acquisitions to expand hydrogeology references.</p>
<p><b>QUATERNARY INVESTIGATIONS, INC. COLTON, CA</b></p> <p><i>Principal/President</i></p> <p><i>1991-1997</i></p>	<p>Corporate principal and manager of Colton facility. Administrative, technical, and marketing duties for environmental projects such as site characterizations (e.g., hydrocarbons, pesticides, chlorinated solvents, lead, mercury), developing Remedial Action Plans/Corrective Action Plans for in situ and ex situ treatments, and design, installation, as well as operation and maintenance of soil and groundwater remediation programs. Prepared bid specifications for subcontractors.</p>
<p><b>ICG HYDROTECH, INC.</b></p> <p><b>REDLANDS, CA</b></p> <p><i>Office Manager</i> <i>Associate Geologist</i></p> <p><i>1989-1991</i></p>	<p>Administrative, technical, and marketing responsibility for staff of environmental professionals performing environmental investigations and site remediation in Southern California. Functioned as Regional Safety Officer (RSO) for Redlands office.</p>

<p><b>ECOLOGY &amp; ENVIRONMENT, INC.</b></p> <p><b>LOS ANGELES, CA</b></p> <p><i>Manager-Geological Sciences Group</i></p> <p><i>Chief Hydrogeologist</i></p> <p>1988-1989</p>	<p>Administrative and technical responsibility for geologists, hydrogeologists, and environmental technicians performing environmental site investigations and remediation programs.</p>
<p><b>TETRA TECH, INC.</b></p> <p><b>PASADENA, CA</b></p> <p><i>Senior Hydrogeologist</i></p> <p>1987-1988</p>	<p>Responsible for project management and supervision of junior geologists/hydrogeologists performing environmental site investigations and soil and groundwater remediation.</p>
<p><b>TETRA TECH, INC.</b></p> <p><b>SAN BERNARDINO, CA</b></p> <p><i>Staff Geologist</i></p> <p>1985-1987</p>	<p>Staff Geologist preparing Geologic Resources and Soil Resources sections of environmental impact statements for U.S. Air Force Inter-Continental Ballistic Missile (ICBM) facility expansion programs in 12 states. Assisted Cultural Resource department by providing geologic/geomorphic input to archaeological site excavations to determine context of cultural artifacts. Internal technical reviewer of Water Resources sections of EIS documents.</p>
<p><b>URS-BERGER</b></p> <p><b>SAN BERNARDINO, CA</b></p> <p><i>Staff Geologist</i></p> <p>1983-1985</p>	<p>Staff Geologist preparing <i>Geologic Resources</i> and <i>Soil Resources</i> sections of environmental impact statements for U.S. Air Force Inter-Continental Ballistic Missile (ICBM) facility expansion programs in 12 states. Assisted <i>Cultural Resource</i> specialists with predictive modeling efforts to estimate the number of potential cultural resource sites in project areas. Provided geologic/geomorphic input to archaeological site excavations to determine context of cultural artifacts. Internal technical reviewer of <i>Water Resources</i> sections of EIS documents.</p>

<b>EARTH TECHNOLOGY CORPORATION</b>  <b>LONG BEACH, CA</b>  <i>Staff Geologist</i>  1981-1983	Staff Geologist assigned to critical facility siting programs: high-level radioactive waste (HLRW) repositories and InterContinental Ballistic Missile (ICBM) launch sites. Performed stratigraphic, sedimentologic, and geomorphic evaluations of Gulf Coast salt domes to determine rate of salt diapirism and suitability of these structures for HLRW disposal. Coauthored a "white paper" for Dept. of Energy on criteria to rank crystalline bedrock with respect to suitability for HLRW disposal. Evaluated geologic conditions and water resource availability to support the construction of ICBM launch sites in remote valleys of Utah and Nevada.
<b>Geoscience Research Associates, Inc.</b> <b>Bloomington, IN</b>  <i>Assistant Geologist</i>  1979-1981	Part-time position as Assistant Geologist responsible for coding drillers' logs for input to statewide database for use by Indiana Geological Survey.
<b>Noranda Exploration, Inc.</b> <b>Lebanon, TN</b>  <i>Assistant Geologist</i>  1979 summer	Developed regional conceptual model for distribution of Mississippi Valley-type lead-zinc deposits by examining drill cuttings archived by state geological surveys of Ohio and New York.

## PROFESSIONAL AFFILIATIONS

- American Ground Water Trust  
Board of Directors, 2008-present
- National Ground Water Association  
Member, 1985-present  
NGWA/ANSI Water Well Construction Standard Development Committee  
Well Siting and Sampling Task Group  
Screens and Intakes Task Group
- Groundwater Resource Association of California  
Member, 2001-present  
Central Coast Branch – President, 2011- 2017
- Association of California Water Agencies  
Groundwater Committee, 2010-present
- American Water Works Association
- Watersheds Coalition of Ventura County

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Steering Committee, 2014-2018

- Santa Clara River Watershed Committee  
United Water Conservation District representative, 2015-2017
  - California State University-San Bernardino, Dept of Geological Sciences  
Professional Advisory Board, 2010- present
- 

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#### CALIFORNIA STATE UNIVERSITY-SAN BERNARDINO, DEPT. OF GEOLOGICAL SCIENCES

- GEOL375 Introduction to Hydrogeology Lecture (majors) and Laboratory sessions
- GEOL376 Field Methods in Hydrogeology Lecture (majors) and Laboratory sessions

#### INDIANA UNIVERSITY-PURDUE UNIVERSITY AT INDIANAPOLIS, DEPT. OF GEOLOGY

- GEOL110 Physical Geology Lecture and Laboratory for Geology majors and non-majors
- GEOL130 Physical Geology Laboratory - Laboratory course in Physical Geology for Geology majors
- GEOL107 Man and His Geologic Environment - Introductory environmental geology lecture course designed for non-majors
- GEOL109 Historical Geology Laboratory - Laboratory course in Historical Geology for Geology majors and non-majors
- GEOL430 Geomorphology Laboratory - Laboratory course in principals of geomorphology for upper-level geology majors

#### CALIFORNIA STATE UNIVERSITY-FULLERTON, DEPT. OF GEOLOGICAL SCIENCES

- Use of Borehole Geophysics for Water Well Design, 2002, Seminar for Well Hydraulics and Development Course
- 

### TEACHING EXPERIENCE



## PROFESSIONAL PUBLICATIONS AND PRESENTATIONS

- Douglas Tolley, PhD, Gregory Buczek, and **Tony Morgan**, 2022, *Reducing SGMA Implementation Costs for Disadvantaged Groundwater Basins by Automating Workflows*, Western Groundwater Congress, Groundwater Resources Association of California, September 2022.
- Morgan, Tony**, 2021. *Sometimes it Rains... Sometimes it Doesn't... Future Hydrology Scenarios in the Fillmore and Piru Basins* at Association of Water Agencies of Ventura County, Sept 2021 (presentation).
- Morgan, Tony**, 2020. *The Sustainable Groundwater Management Act (SGMA) - What are the Prospects for Managing Irrigation Pumping to Achieve Long-Term Sustainability of California's Groundwater?* at The American Ground Water Trust, Managing Florida's Aquifers: Annual Conference, Oct 2020 (presentation).
- Schwartz, Kaelyn, Douglas Tolley, **Morgan, Tony**, 2020. *Subsidence & SGMA - Characterizing the Ups and Downs Outside of the Central Valley* at The Third Annual Western Groundwater Congress, Groundwater Resource Association of California, Sept 2020 (presentation).
- Morgan, Tony**, 2020. *So the Climate is Changing...Now What?* at The Third Annual Western Groundwater Congress, Groundwater Resource Association of California, Sept 2020 (presentation).
- Morgan, Tony**, 2020. *The Sustainable Groundwater Management Act (SGMA) - What are the Prospects for Managing Irrigation Pumping to Achieve Long-Term Sustainability of California's Groundwater?* at The American Ground Water Trust, Texas Groundwater Webinar, Aug 2020 (presentation).
- Morgan, Tony**, 2020, *OMG...The Climate is Changing* at National Groundwater Association: Water, Energy, and Policy in a Changing Climate, February 2020 (presentation).
- Morgan, Tony**, 2019, *Land Use and SGMA* at The Second Annual Groundwater Sustainability Agency Summit, Groundwater Resource Association of California, June 2019 (invited panelist).
- Morgan, Tony**, 2018, *The Unknown Unknowns: Things You Learn Preparing a GSP* at The First Annual Western Groundwater Congress, Groundwater Resource Association of California, Sept 2018 (presentation).
- Morgan, Tony**, 2018. *Adaptive Management – Operating Under Unknowns* at The First Annual Groundwater Sustainability Agency Summit, Groundwater Resource Association of California, June 2018 (invited panelist).
- Morgan, Tony**, 2018, *Stormwater and Ground Water Conjunctive Use in the Santa Clara River Valley* at Everything Aquifers and Groundwater Management, Association of Ground Water Agencies and American Ground Water Trust, Feb 2018 (presentation).
- Morgan, Tony**, 2017, *What's in the tank* at *Countdown to Sustainability: A Forum on Ventura County's Progress Toward SGMA Implementation* sponsored by Farm Bureau of Ventura County, Ventura County Watershed Protection District and Watershed Coalition of Ventura County, Nov 2017 (presentation).
- Moore, Tim, Dan Detmer, **Tony Morgan**, John Lindquist, 2017, *Santa Paula-Mound-Forebay Basin Boundary TDEM Geophysical Survey in Ventura County, California*, Groundwater Resource Association of California, October 2017 (poster).
- Kuepper, Kathleen, Dan Detmer, John Lindquist, **Tony Morgan**, 2017, *Groundwater Monitoring Protocols for Seawater Intrusion – Example of Challenges and Experiences in a Coastal Groundwater Basin*, Groundwater Resource Association of California, October 2017 (presentation).
- Lindquist, John, Jason Sun, **Tony Morgan**, Dan Detmer, 2017, *Minimum Thresholds, MODFLOW, and Sustainable Yield – Example of Model Application in a Coastal Groundwater Basin*, Groundwater Resource Association of California, May 2017 (presentation).
- Morgan, Tony**, 2017, *SGMA Implementation Flexibility and Adaptability – Examples from Ventura County*, California Irrigation Institute 55<sup>th</sup> Annual Conference – Managing our Water Checkbook: Solutions for a Balanced Bottom Line, Jan 2017 (presentation).
- Morgan, Tony**, 2017, *GSP-Lite: Using a Groundwater Flow Model to Approximate Sustainable Yields for Oxnard Plain and Pleasant Valley Groundwater Basins*, Coast Geological Society, Jan 2017 (presentation).
- Morgan, Tony**, 2016, *Groundwater Manager's Perspective, Drought Response Workshop*, CA Department of Water Resources, Southern California Water Committee, and National Water Research Institute, May 2016 (panel presentation).
- Miller, Richard, William Black, Martin Miele, **Tony Morgan**, Julian Ivanov, Shelby Peterie, and Yao Wong 2016, *High- Resolution Seismic Reflection to Improve Accuracy of Hydrogeologic Models in Ventura County, CA, USA*, The Leading Edge, V. 35, Issue 9, pg. 776-785.
- Morgan, Tony**, 2016, *A Historic Drought and Groundwater Management Legislation: Can We Regulate our Way to Sustainability*, Coast Geological Society, March 2016 (presentation).
- Morgan, Tony**, 2016, *SGMA Compliance: Full Speed Ahead...Sort Of - Lessons from Ventura County*, Overview of Current Groundwater Management Efforts in Ventura County, Association of Ground Water Agencies and American Ground Water Trust, Feb 2016 (presentation).
- Morgan, Tony**, 2016, *Sustainable Groundwater Management Act Workshop*, Fillmore-Piru Basins Groundwater Pumpers Associations, January 2016 (presentation).
- Melissa Rohde, Sally Liu, Kirk Klausmeyer, Jeanette Howard, Bryan Bondy, and **Morgan, Tony**, 2016, *A Guidance Framework for Considering Groundwater Dependent Ecosystems under SGMA: A Case-Study from Ventura County*, Developing Groundwater



- Sustainability Plans for Success, Groundwater Resource Association of California, June 2016 (poster presentation).
- Jason Sun, Dan Detmer, Tim Moore, John Lindquist, and **Morgan, Tony**, 2016, *Development of a Numerical Model for Sustainable Groundwater Management in Ventura County, California*, Groundwater Models and Data, Groundwater Resource Association of California, February 2016 (poster presentation).
- Morgan, Tony**, 2016, *Where Will We Find the Water*, Water Market Solutions for California Water Issues, American Ground Water Trust, April 2016 (presentation).
- Morgan, Tony**, 2014, Surface and Borehole Geophysics as Tools for Groundwater Resource Management – Recent Experiences from Ventura County, Inland Geological Society, Mar 2014 (presentation).
- Morgan, Tony**, 2013, 80+ Years of Aquifer Replenishment in Ventura County, Association of California Water Agencies, Regulatory Summit, August 2013 (presentation).
- Morgan, Tony**, 2013, Dynamic Well Profiling – Optimizing Well Performance in High Resolution Tools and Techniques for Optimizing Groundwater Extraction for Water Supply, Groundwater Resources Association of California, June 2013 (presentation).
- Morgan, Tony**, 2013, E-Logs, Driller's Logs, and GeoWizardry: Recent Developments in the Hydrostratigraphy of the Oxnard Plain, Pleasant Valley and Forebay Groundwater Subbasins, Ventura County, CA, Coast Geological Society, April 2013 (presentation).
- Morgan, Tony**, 2012, *Fold, Faults, and Aquifers – Important Components of the Ventura Regional Groundwater Flow Model*, CSU – San Bernardino, Geological Sciences Departmental Seminar Series, Nov 2012 (presentation).
- Morgan, Tony**, 2012, Fold, Faults, and Aquifers – Important Components of the Ventura Regional Groundwater Flow Model, AWA-CCWUC, Ventura, CA, Oct 2012 (presentation).
- Tim Moore, Dan Detmer, **Morgan, Tony**, and Pete Dal Pozzo, 2012, *Pressure Transducer and Data Logger Use and Applications as Part of Water Level Elevation Monitoring Network*, Groundwater Resources Association of California, 21<sup>th</sup> Annual Conference and Meeting, October 2012 (poster).
- Pete Dal Pozzo, **Morgan, Tony**, and Tim Moore, 2012, Hydrogeologic Evaluation of the Apparent Camarillo-Hueneme Groundwater Flow Barrier, Oxnard Plain, Ventura County, California, Groundwater Resources Association of California, 21<sup>th</sup> Annual Conference and Meeting, October 2012 (poster).
- Morgan, Tony**, 2012, *Saline Water Intrusion on the South Oxnard Plain: 2011 Update*, State of the Santa Clara River Water Symposium, May 2012 (poster).
- Morgan, Tony**, 2012, *Groundwater Conditions in the Santa Clara Valley and Oxnard Plain*, AWA Waterwise Water Information Breakfast Series, Oxnard, CA, Jan 2012 (presentation).
- Morgan, Tony** and Tim Moore, 2011, Refining a Regional-Scale Groundwater-Flow Model to Address Basin-Specific Management Goals in Ventura County, Inland Geological Society, Riverside, CA, Dec 2011 (presentation).
- Morgan, Tony**, 2011, Saline Water Intrusion on the South Oxnard Plain: What We Know and What We Don't Know, AWA- CCWUC, Ventura, CA, Oct 2011 (presentation).
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- Morgan, Tony**, 2009, *Global Warming and the Impacts of Declining Water Levels on Production Wells*, Groundwater Resources Association of California, 27<sup>th</sup> Biennial Groundwater Conference, October 2009 (presentation).
- Morgan, Tony**, 2009, *Water Well Hydraulic Performance Assessment and Water Well Re-Engineering*, Florida Rural Water Association - training program offered at 5 locations in Florida, sponsored by FRWA, January 2009 (presentations).
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- Morgan, Tony**, 2005, *Water Well Performance Characterization*, ASCE-Tucson, AZ Chapter (presentation).
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- Morgan, Tony**, 1979, Drainage-Related Soil Profile Development in a Wisconsin Till of the Christensen Mastodon Site, Student Honors Symposium-Honors Day Convocation April 20, 1979.

**PROOF OF SERVICE**

I, Vanessa Guillen-Becerra, declare:

I am a citizen of the United States and employed in San Bernardino County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 2855 E. Guasti Road, Suite 400, Ontario, California 91761. On November 6, 2023, I served a copy of the within document(s):

**DECLARATION OF TONY MORGAN IN SUPPORT OF MOTION FOR  
LEAVE TO INTERPRET AND CLARIFY THE JUDGMENT**

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Ontario, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed \_\_\_\_\_ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a \_\_\_\_\_ agent for delivery.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

*Please see attached Service List.*

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on November 6, 2023, at Ontario, California.

Vanessa Guillen-Becerra

Service List

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## **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 December 7, 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:

### **DECLARATION OF TONY MORGAN IN SUPPORT OF MOTION TO INTERPRET AND CLARIFY THE JUDGMENT**

  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 December 7, 2023 at Apple Valley, California.

  
\_\_\_\_\_  
Jeffrey D. Ruesch



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## Mojave Basin Area Watermaster Service List as of December 07, 2023

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## Mojave Basin Area Watermaster Service List as of December 07, 2023

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## Mojave Basin Area Watermaster Service List as of December 07, 2023

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