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7 Attorneys for Defendant/Cross-Complainant,
8 MOJAVE WATER AGENCY

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **IN AND FOR THE COUNTY OF RIVERSIDE**

11
12 Coordination Proceeding Special Title
13 (Cal. Rules of Court, rule 3.550)

14 **MOJAVE BASIN WATER CASES**

15 **CITY OF BARSTOW,**

16 **Plaintiff,**
17 **vs.**

18 **CITY OF ADELANTO, et al.,**

19 **Defendant.**

20 **AND RELATED CROSS ACTIONS**

JCCP NO.: 5265

Dept. 1, Riverside Superior Court
Hon. Harold Hopp, Judge Presiding

LEAD CASE NO.: CIV208568
Coordinated with San Bernardino Superior
CASE NO.: CIVSB 2218461

**DAVID PETERSON DECLARATION IN
SUPPORT OF MOJAVE WATER
AGENCY'S OPPOSITION TO MOTION
OF SHADOW MOUNTAIN RANCH,
LLC TO CLARIFY AND INTERPRET
THE JUDGMENT**

Date: February 7, 2024
Time: 8:30 a.m.

Dept.: 1
RESERVATION NO.: 001680774956

Assigned for All Purposes to Dept. 1,
Hon. Harold Hopp, Judge Presiding

DECLARATION OF DAVID PETERSON

David Peterson declares and states:

1. I am a hydrogeologist and engineering geologist with Wagner & Bonsignore Consulting Engineers (WBE). I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could competently testify to the matters set forth herein. I make this declaration in support of Mojave Water Agency's Opposition to Shadow Mountain Ranch's Motion for an Order Interpreting and Clarifying the Scope of the Judgement.

2. A true and correct copy of my curriculum vitae is attached to this declaration as Exhibit "1." I have 43 years of professional experience as an engineering geologist and hydrogeologist, which has included many assessments of groundwater availability and supply, basin-wide studies for assessment of production safe yield, water balance, consumptive use, and recharge, as well as contaminant hydrogeology and remediation. In addition, I have extensive experience in the assessment of water rights in California as they pertain to groundwater pumping. For the past 10 years, I have assisted the Mojave Watermaster Engineer on numerous hydrogeologic studies in the five Mojave Basin subareas.

3. I hold Bachelor of Science (1976) and Master of Science (1980) degrees in geology from the University of California at Davis. I am a licensed Professional Geologist in California (No. 3830; obtained in 1984). I am also a Certified Engineering Geologist (No. 1186; obtained in 1984) and Certified Hydrogeologist (No. 86, obtained in 1995) in California.

4. I have reviewed the Notice of Motion and Motion of Shadow Mountain Ranch LLC ("SMR") for an Order Interpreting and Clarifying the Scope of the Judgment; Memorandum of Points and Authorities in Support Thereof, which includes the Declaration of Tony Morgan, geologist for the firm Daniel B. Stephens & Associates, Inc. (DBS&A); as well as the published and unpublished groundwater reports and maps listed in the References section on page 6 of this Declaration. Based upon my review of these pleadings, declarations,

1 reports and maps, I provide my professional conclusions and opinions regarding the findings
2 and opinions developed by SMR and DBS&A, described below.

3 5. The Harper Valley Groundwater Basin is not “disconnected” from the Mojave River
4 watershed. This conclusion is supported by the following:

5 Numerous prior studies of the Mojave region, including the California Department of
6 Water Resources (DWR), the U.S. Geological Survey (USGS), Jacobs Engineers,
7 Todd Engineers, and other consultants, have all concluded that groundwater flows
8 from the floodplain aquifer along the Mojave River, northward through a relatively
9 narrow alluvial divide near Red Hill, termed the Hinkley Gap, into Harper Lake Basin
10 (sometimes referred to as Harper Lake Valley). In a study by USGS, Izbicki and
11 Michel (2004) noted that “In the geologic past, flow in the Mojave River may have
12 reached Harper Lake Basin, maintaining surface water in the lake (Meek, 1999).” In a
13 regional study and groundwater model by the USGS (Stamos and others, 2001), the
14 simulated flow into Harper Lake Basin using the groundwater model was calculated
15 to increase from 2,934 AFY to 4,290 AFY during period 1930 to 1994, mainly due to
16 increased pumping in the Harper Lake Basin. The 2001 USGS model included
17 possible flow into the Harper Lake Basin from the Helendale area. A compilation of
18 various studies by California State University Fullerton (2010) cited a range of 22 to
19 3,071 acre-feet per year through the Hinkley Gap. Subsequent to the CSUF report,
20 additional studies in the vicinity by Todd Engineers (2013) and Jacobs (2019) also
21 calculated flow through the Hinkley Gap into the Harper Lake Basin ranging up to
22 about 1,986 AFY. Overall, there seems to be little disagreement that groundwater
23 flows from the Mojave River to Harper Lake Basin, although the annual amount has
24 not been confirmed.

25 Two types of studies have been performed by USGS that demonstrate flow from the
26 Mojave River into Harper Lake Basin. The first is collection of groundwater levels in wells,
27 to construct maps that contour the groundwater surface. These maps, prepared by several
28 sources (USGS for various years since the Judgement; and Stamos and others, 2001) clearly

1 show groundwater flowing under gradient from the Mojave River, northward through the
2 Hinkley Gap. Attached Exhibit 2 is from the basin-wide study by the USGS (Stamos and
3 others, 2001); note that arrows show direction of groundwater flow through the Hinkley
4 Gap.

5 A second study performed by Izbicki and Michel (USGS, 2004) consisted of
6 collecting groundwater samples from wells throughout the Mojave basin and age-dating the
7 water using carbon-14 methods. The distribution of water ages is shown graphically by
8 Izbicki and Michel on attached Exhibit 3. As indicated, a pattern of decreasing carbon
9 activity, indicative of increasing age of the water is evident progressing north and away from
10 the floodplain aquifer at the Mojave River, through the Hinkley Gap. The carbon-14 age
11 dating of groundwater samples indicates quite clearly that groundwater is flowing to Harper
12 Lake Basin.

13 6. The age of groundwater in the shallow aquifer is a function of the very slow rates of
14 groundwater flow in the basin and is not evidence of disconnection between the Mojave
15 River and Harper Lake Basin.

16 SMR's Notice of Motion states (p10, Line 3-4) that "By comparison, the shallow
17 aquifer was recharged into the ground approximately 7,000 years ago, and Mojave River
18 water is recent water currently recharging." This assertion is not supported by the published
19 data. Isotopic analysis of water samples by USGS (Izbicki and Michel, 2004) indicates that
20 throughout most of the regional aquifer system, groundwater flow away from areas of
21 recharge is very slow; typically on the order of 10 feet or less per year. The age dating by
22 USGS (Izbicki and Michel, 2004) of groundwater samples collected from wells in the Este
23 and Oeste subareas found that groundwater located 6 to 7 miles from the recharge source at
24 the San Gabriel and San Bernardino mountain front were up to 18,800 years old. With the
25 exception of possible minor (and generally unmeasurable) amounts of native recharge
26 occurring along small washes, the only known source of recharge to the Harper Lake Basin
27 is from the Mojave River. Therefore, it is likely that the uncorrected 7,000-year-old age of
28 the water sample collected from SMR's shallow aquifer may only reflect the very long time

1 period required for groundwater to travel from the Mojave River to Harper Lake Basin.

2 Based on the foregoing, it is clear that the Harper Valley Basin is not hydrologically
3 “disconnected” from the Mojave River watershed, and the dating of water in the shallow
4 aquifer beneath SMR’s property likely reflects the very long time period required for
5 groundwater to travel from the Mojave River to the Harper Lake Basin.

6 7. The extent of the deep aquifer beneath SMR’s property and its “connectivity” to other
7 aquifers is not known. This conclusion is supported by the following:

8 The deeper, older alluvial aquifer described by SMR and underlying its property was
9 previously identified in a report by Todd Engineers and shown on their geologic cross
10 section C-C’ (Todd Engineers, 2005, see Exhibit 4). The identification of the deeper aquifer
11 by Todd Engineers appears to be based on a single well log. As shown on the cross section
12 by Todd Engineers, the deeper aquifer may be limited in extent and a block that was
13 displaced and down-dropped along a fault.

14 The limited groundwater sample data from SMR’s single test well indicates that the
15 water in the deeper aquifer is much older than the shallow aquifer, with higher dissolved
16 constituents. The available water quality and isotope data collected by SMR suggests that
17 the deeper aquifer may be largely isolated from the shallow aquifer. However, we have not
18 been given the opportunity to review well tests or drillers logs to further evaluate the
19 potential for connectivity to other aquifers. Without the well driller’s log or pump testing
20 data from the deep well to review, it is difficult to further evaluate the potential connectivity
21 of the aquifers. From the available data reviewed, the size and lateral extent of the deep
22 aquifer, the potential amount of groundwater in storage in that aquifer, and its “connectivity”
23 with other aquifers remains unknown.

24 8. Historical pumping in the Harper Lake Basin has led to long-term declines in
25 groundwater levels and loss of groundwater in storage. This is supported by the following:

26 In a study of the water supply and demand in the Baja and Centro subareas, Todd

27 ///

28 ///

1 Engineers (2005, p 4-14), noted that "Historically, pumping in the Harper Lake area has resulted
2 in local groundwater level declines exceeding 100 feet in some areas. Groundwater levels have
3 partially recovered as a result of decreased pumping since the Judgment, with overall net
4 groundwater level declines of between 20 and 50 feet over the past 50 years."

5 Well hydrographs for the Centro Subarea prepared by MWA (Exhibit 5) show historical
6 declines in groundwater levels in areas of the Harper Lake Basin since the 1930s. The
7 hydrograph for well "11N03W28R01 and 02 Composite" indicates that since 1929, groundwater
8 levels have declined about 60 feet, stabilizing in about 2015. Closer to SMR, the hydrograph for
9 well "11N03W07D01" also shows historical declines dating back to about 1954, leveling off in
10 the past approximately five years. The potential significance to the proposed SMR project is that
11 continued pumping in excess of recharge will continue to deplete groundwater in storage. With
12 the exception of the identified groundwater flow into the Harper Lake Basin through the Hinkley
13 Gap, other sources of recharge to the valley have not been confirmed. Therefore, water pumped
14 by SMR's proposed project will either rely on groundwater flowing from the Mojave River, or
15 will cause depletion of water in storage in the Harper Lake Basin, which is part of the Centro
16 Subarea.

17 I declare, under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct, and that this declaration was executed on January 23, 2024.

19
20 
21 DAVID PETERSON

REFERENCES

- Izbicki, J.A. and Michel, R.L., 2004, Movement and Age of Ground Water in the Western Part of the Mojave Desert, Southern California, USA: U.S. Geological Survey Water-Resources Investigation Report 03-4314, 42p.
- Jacobs, 2019, Groundwater Flow Modeling to Support the Hinkley Chromium Background Study, San Bernardino County, California: Consultant's report to Pacific Gas and Electric Company, dated July 1, 2019, 254p., with Appendices.
- Laton, W.R., Foster, J., Ebbs, V., Blazevic, M., Napoli, N. and Perez, R., 2010, Harper Lake Basin, San Bernardino County, California, Hydrogeologic Report: Prepared by California State University, Fullerton, Department of Geological Sciences for the Mojave Water Agency, dated July 2010, 158p.
- Mojave Water Agency, 2023, Centro Subarea Hydrographs: Dated February 2023, 1 digital sheet.
- Stamos, C.L., Martin, P., Nishikawa, T., and Cox, B.F., 2001, Simulation of Ground-Water Flow in the Mojave River Basin, California: U.S. Geological Survey Water Resources Investigations Report 01-4002 (Version 3), 137p.
- Todd Engineers, with Kennedy Jenks Consultants, 2013, Final Report, Conceptual Hydrogeologic Model and Assessment of Water Supply and Demand for the Centro and Baja Management Subareas, Mojave River Groundwater Basin: Consultant's report prepared for Mojave Water Agency, dated July 2013, 291p., with Appendices.
- Weber, E.H., 1967, Mojave River Ground Water Basins Investigation: California Department of Water Resources Bulletin 84, 196p.

EXHIBIT 1

Wagner & Bonsignore

Consulting Civil Engineers, A Corporation

Nicholas F. Bonsignore, P.E.
Robert C. Wagner, P.E.
Paula J. Whealen

Martin Berber, P.E.
Patrick W. Ervin, P.E.
David P. Lounsbury, P.E.
Vincent Maples, P.E.
Leah Orloff, Ph.D., P.E.
David H. Peterson, C.E.G., C.H.G.
Ryan E. Stolfus

DAVID H. PETERSON PROFESSIONAL RESUME

REGISTRATIONS:

California Professional Geologist No. 3830
California Certified Engineering Geologist No. 1186
California Certified Hydrogeologist No. 86

EDUCATION:

University of California, Davis - M.S. in Geology, 1980
University of California, Davis - B.S. in Geology, 1976

EXPERIENCE:

Mr. Peterson has 43 years of experience as an engineering geologist and hydrogeologist, performing site investigations for a wide variety of geologic, hydrogeologic (groundwater), geotechnical, and environmental projects throughout the western United States. Geologic and geotechnical projects have included studies for schools, hospitals, office buildings, subdivisions, bridges, pipelines, and state-regulated dam sites; active fault and landslide/slope stability evaluations, preparation of EIRs; and site investigations for utilities, marinas, subdivisions, dam sites, road alignments, office buildings, timber harvest plans, and mine facilities. Hydrogeologic services have included basin-wide evaluations of groundwater recharge and supply in the Mojave, Antelope Valley, Chino, Borrego Valley basins, assessments of groundwater availability in water scarce areas, geologic review of water rights issues for existing wells and springs including detailed evaluations of the source of flow to wells (percolating groundwater vs. flow in subterranean streams), siting and design of new water-supply wells, and conducting pumping tests to assess aquifer hydraulics and the potential impacts of wells on neighboring wells and surface water supplies. Mr. Peterson also has extensive project experience in the investigation and remediation of fuel and solvent releases to soil and ground water; work related to landfills and toxic pits, characterization of PCB, asbestos, and heavy metals contamination.

TYPICAL GROUNDWATER PROJECT EXPERIENCE:

EVALUATION OF EXISTING WELLS FOR STATE WATER RIGHTS JURISDICTION - Various Sites, CA

Reviewed geologic data and Well Completion Reports, and performed site reviews to assess if existing domestic and agricultural irrigation water wells pump percolating groundwater or subterranean streamflow, as part of water rights permitting and application process.

COYOTE VALLEY GROUNDWATER BASIN EVALUATION, Lake County, CA

Conducted a basin-wide evaluation of geologic conditions, including review of water well logs and geologic mapping of alluvial deposits to assess if groundwater in the basin should be characterized as percolating groundwater or flow in a subterranean stream. This determination was the basis for evaluating the status of existing Water Rights permits for public water supply wells. The study concluded that the wells pumped percolating groundwater and were not under permitting authority of the State Water Resources Control Board (SWRCB). Subsequent independent review by the SWRCB concurred with the conclusions of the study.

STUDIES OF RECHARGE FROM DOMESTIC, MUNICIPAL AND INDUSTRIAL SOURCES - Antelope Valley and Western Mojave Area, CA

Performed subsurface investigations of soil moisture, texture, and chemistry to assess the rate, timing and contribution of municipal and industrial irrigation to basin recharge in the Antelope Valley and western Mojave Desert areas. Study performed in Antelope Valley was part of the adjudication of the groundwater rights for the basin. Findings developed in the Mojave study used by the Mojave Basin Watermaster in subsequent water supply and consumptive use studies. Geological data from the Mojave basin studies were used by U.S. Geological Survey in their updated groundwater model of the Lucerne Valley.

EVALUATIONS OF EXISTING WATER SUPPLIES TO INDUSTRIAL FACILITIES - Various Locations, CA

Performed geologic evaluation of existing industrial facilities that rely on groundwater supply, to assess potential impacts from recent drought, as well as to evaluate status of wells and pumps. Performed basin-wide research of groundwater conditions and reviewed available well test data to assess changes in well capacity or pump performance. Provided recommendations for follow-up inspections, testing, and monitoring.

GROUNDWATER AVAILABILITY STUDIES - Sonoma County, CA

Performed numerous geologic evaluations of groundwater availability for use permits and subdivisions in water-scarce areas of Sonoma County. Evaluations include estimates of groundwater occurrence, storage, and recharge to assess additional cumulative impact posed by planned project.

ASSESSMENT OF GROUND-WATER PUMPING IMPACTS FOR NEW WINERY - Napa, CA
Developed well test protocols and performed field pump tests to assess the potential impact of ground-water pumping from new winery well on neighboring wells. Coordinated with neighbors, Napa County regulators, and project owner's attorneys to perform test.

NEW GROUNDWATER SUPPLY STUDIES – Sonoma and Mendocino Counties, CA
Performed geologic studies for various properties, to evaluate groundwater supply and new water well locations. Studies included geologic mapping, geophysical studies, and drilling test holes to assess groundwater supply. Observed/logged geologic conditions during drilling, and performed well tests to evaluate well yield and specific capacity.

FUEL CLEANUP BY SPARGING/VAPOR EXTRACTION - Sonoma County, CA
As consultant and general contractor, designed, installed and operated in-place systems using air injection (air sparging), ozone sparging, and vapor extraction to remediate fuel constituents in soil and ground water. Systems were installed in Sonoma County and are currently in operation or pending case closure. At one site, fuel concentrations in ground water decreased by 75% after three months of operation. Currently designing systems to remediate high levels of benzene and MTBE in ground water at sites in Petaluma, Santa Rosa, and Sebastopol.

U.S. COAST GUARD TRAINING FACILITIES - Two Rock, CA
Project manager for environmental consulting services during removal of underground fuel storage tanks at 20 locations on the facility. Included field observations, monitoring, and sampling during tank removal, regulatory agency coordination, and direction to contractor during soil overexcavation.

U.S. NAVY FACILITIES - San Francisco, CA
Performed evaluation of in-ground acid-dipping tanks to determine whether facilities were subject to California Toxic Pits Cleanup Act. Worked in conjunction with civil engineer to evaluate structural integrity of tanks and prepare final report for regulatory agency review.

INVESTIGATION OF SOLVENT RELEASE TO GROUNDWATER - Petaluma, CA
Performed hydrogeologic investigation of solvent release from industrial site. Scope included installation and development of monitoring and extraction wells, aquifer testing, and long-term water-level monitoring.

HUNTERS POINT NAVAL SHIPYARD - San Francisco, CA
Developed scope of work and managed field work for remedial investigation of military landfill on Bay margin. Possible materials disposed since 1940's included paints, fuels, PCB's, cyanide wastes, heavy metals, and sand blast waste. Evaluated potential impacts of leachate migration to Bay.

AIR SPARGE/VAPOR EXTRACTION REMEDIATION SYSTEM, Sonoma County, CA
Prepared remedial action plan for cleanup of fuel hydrocarbons in soil and ground water at former gas station site. Following approval of remedial plan by regulatory agency, installed remedial system components, including well installations and treatment unit, and coordinated tasks of trenching and electrical subcontractors. Remediation system was converted from air sparging to

ozone sparging; sampling indicates hydrocarbon impact in groundwater has been largely mitigated. Site currently in post-remedial monitoring phase.

FUEL RELEASE INVESTIGATIONS, FRACTURED BEDROCK SITE, Petaluma, CA

Completed field investigation, performed pilot testing, and prepared feasibility studies for cleanup of a site with fuel release to fractured volcanic bedrock aquifer. Pilot studies included continuous rock coring to locate specific fracture zones; heat pulse surveys to identify potential areas of fracture flow; ground-water pumping and ozone sparging tests to evaluate the feasibility of using these cleanup methods. Remediation system consisted of ozone sparging into impacted fracture zones. System operation resulted in steep declines in hydrocarbon concentrations in ground water, leading to case closure by the regulatory agency.

GEOLOGIC/GEOTECHNICAL PROJECT EXPERIENCE:

TIMBER HARVEST PLAN REVIEWS – Various Locations in California

Performed engineering geologic review of Timber Harvesting Plans, Timber Conversion Plans, and Non-Industrial Timber Management Plans for properties in Sonoma, Mendocino, Humboldt, and Santa Cruz Counties. Review involved extensive aerial photo interpretation and geologic mapping of landslide features in forested terrain, as well as site reconnaissance with Registered Professional Foresters to evaluate impacts of timber harvest and road construction. Attended Pre Harvest Inspections with members of responsible regulatory agencies.

LANDSLIDE INVESTIGATION, NEW RETIREMENT COMMUNITY – Santa Rosa, CA

Consultant to geotechnical firm performing evaluation of landslide hazards to planned new retirement community in eastern Santa Rosa, California. Investigation involved extensive geophysical surveys and downhole borehole logging to characterize both ancient and more recently active landslides. Performed field observation and consultation as part of landslide removal and buttressing during project construction.

FAULT RUPTURE HAZARD EVALUATION, AVON REFINERY - Martinez, CA

Performed geologic evaluation of fault rupture hazards from the active Concord fault for a planned cogeneration plant at an existing oil refinery. Investigation included logging of exploratory trenches to assess presence/activity of faulting.

LANDSLIDE EVALUATION, RESIDENTIAL DEVELOPMENT - San Pablo, CA

Performed engineering geologic assessment of historical landsliding potentially affecting planned residential construction. Review prior geologic data and aerial photography dating back to the 1940's to evaluate risk of landslide movement in planned lots. Provided report to geotechnical engineers, for review by City of San Pablo.

SEISMIC HAZARDS STUDY, BROOK HAVEN SCHOOL - Sebastopol, CA

Initially performed as soil investigation for new gymnasium, discovered widespread seismic liquefaction hazard underlying existing school site. Based on findings and subsequent review and concurrence by California Division of Mines and Geology, decision was made to rebuild school

campus. In conjunction with design team, developed mitigation plan for liquefaction hazards, including foundation design (driven piles, grid foundations) and ground improvement by pressure grouting.

STATE JURISDICTIONAL DAMS - Various Sites in California

Performed numerous engineering geologic evaluations of existing and proposed new earth embankment dams under jurisdiction of California Division of Safety of Dams (DSOD). In conjunction with project Civil Engineers, develop scope of investigation for DSOD review, perform field investigations and coordinate site visits with DSOD reviewers, and prepare geologic reports for submittal with design package.

NEW HIGH SCHOOL SITES - Windsor, CA

Performed geologic and geotechnical studies as part of site selection process for new high school for the Windsor Unified School District. Studies included subsurface investigation, laboratory testing, and engineering analysis to evaluate of liquefaction potential and seismic safety of an embankment dam on one of the sites. Provided soils-related testing services during project construction.

NEW MIDDLE SCHOOL - Windsor, CA

Performed geologic and geotechnical studies for development of new middle school for the Windsor Unified School District. Evaluation of geologic hazards identified potential for liquefaction of soil strata beneath site. Provided geotechnical recommendations for site development, including mitigation of liquefaction hazards. Provided geotechnical testing services during site grading and underground utility installation.

GEOLOGIC HAZARDS EVALUATIONS, VARIOUS SCHOOL SITES

Provided geologic hazards evaluations for new and existing school sites throughout Marin, Sonoma, Napa, San Francisco, and Mendocino Counties, California. Reports have been reviewed by Division of State Architect and California Division of Mines and Geology with all reports successfully accepted by the agencies.

CASCADE RANCH RESERVOIRS - San Mateo County, CA

Performed geologic and geotechnical studies for two water supply reservoirs planned in the active San Gregorio fault zone. Geologic studies included over 1,100 feet of trenching in the proposed embankment areas, to assess the potential for surface fault rupture. Because both fault and liquefaction features were found, reservoir locations were revised. Geotechnical studies evaluated safety of reservoir embankments with up to one foot of vertical or horizontal ground movements.

ENGINEERING GEOLOGIC EVALUATION - Humboldt County, CA

Preliminary soil and geologic study for proposed 10-lot subdivision. Included subsurface investigation, including trenching for active faults, laboratory testing and development of recommendations for site development. Active faults were found in a portion of the property, requiring establishment of setbacks from the areas of potential surface rupture, as well as special foundation design guidelines in areas of potential ground deformation.

ARCATA TRANSIT FACILITIES - Humboldt County, CA

Performed fault and geotechnical investigation for site of new City transit facility in active fault zone. Included trenching up to 23 feet through old fill materials into native soils to assess fault hazards. Geotechnical studies included drilling and sampling of test borings and engineering analysis of settlement potential of old fills and weak marsh deposit soils.

LAKE SONOMA MARINA - Sonoma County, CA

Boat Launch Ramp - Performed detailed geotechnical studies of proposed boat launch ramp through ancient landslide deposit. Investigation included drilling, trenching, geophysical studies, laboratory analysis of soils, and stability analysis to evaluate stability of landslide during rapid drawdown of the reservoir.

MC LAUGHLIN GOLD MINE - Napa County, CA

Performed geotechnical studies from initial project planning and site selection through detailed investigation for project design. Included investigation of ore grinding and processing facilities, six state-sized embankment dams, and slurry pipeline route. Provided field observation of landslide repairs up to 60 feet deep during site grading.

SANTA ROSA MEMORIAL MEDICAL OFFICE BUILDING - Santa Rosa, CA

Geologic and geotechnical site investigation for 4-story medical office building and adjacent 6-story concrete parking structure in special study zones established for Healdsburg-Rogers Creek fault zone. Scope of study included detailed geologic study, trenching, test borings, and engineering analysis. Analysis included evaluation for foundation systems for heavy loads associated with concrete parking structure next to the office building.

GUALALA WASTEWATER TREATMENT FACILITIES - Gualala, CA

Performed soil and geologic studies for site of new waste-water treatment plant, storage ponds, and spray irrigation areas. Studies involved extensive permeability testing of onsite soils, evaluation of impacts to shallow ground water and engineering analysis for construction of pond embankments in seismology active region.

DEBRIS FLOW HAZARD EVALUATION - San Rafael, CA

Performed investigation of potential source areas of rapid-moving debris flow landslides to proposed residential subdivision. Studies included subsurface investigation of debris source areas and testing of soils to evaluate their susceptibility to development as debris flows. Developed recommendations for mitigation of hazards including debris fences and settling basins.

GEOTECHNICAL INVESTIGATIONS - GEYSERS GEOTHERMAL AREA, Lake County, CA

Completed numerous geotechnical site investigations for proposed geothermal power plants, steam well pads, steam transmission lines, access roads and administrative facilities at the Geysers Geothermal area.

ROGERS CREEK FAULT RUPTURE EVALUATION - Sonoma County, CA

Evaluated potential fault rupture hazard to proposed 4 mile-long segment of new PG&E natural gas pipelines across the active Rogers Creek fault zone in southern Sonoma County. Report

included estimates of amount of fault displacement and recommendations to reduce/mitigate hazards.

ALQUIST PRIOLO SPECIAL STUDIES ZONES ACT - (Various Sites)

Provided technical review of geologic reports prepared in accordance with the Alquist Priolo Special Studies Zones Act to evaluate the adequacy of the reports and advise the governing agency as to their acceptability. Performed geologic investigations of fault rupture hazard for sites in Sonoma, Mendocino, Humboldt, Contra Costa, and San Mateo Counties.

GAUER ESTATE VINEYARDS - Geyserville, CA

As part of a design team consisting of civil, geotechnical, and agricultural engineers, performed geologic planning study of proposed 6,000-acre hillside vineyard and residential property. Developed planning maps for slope stability, water supply, and aggregate supplies. Evaluated feasibility of eight water supply reservoir sites affected by landslides and active faults.

PROFESSIONAL EXPERIENCE:

2013 – Present	Wagner & Bonsignore, Consulting Civil Engineers Principal Geologist
1997 - 2013	The Geoservices Group President and Principal Engineering Geologist
1992 - 1997	Trans Tech Consultants, Santa Rosa, CA President and Principal Engineering Geologist
1991 - 1992	Consulting Engineering Geologist
1990 - 1991	GeoStrategies Inc., Hayward, CA Geologic Manager
1989 - 1990	Herzog Associates, Petaluma, CA Senior Geologist
1987 - 1989	Harding Lawson Associates, Novato, CA Senior Geologist
1985 - 1987	Van Houten Consultants, Petaluma, CA Senior Engineering Geologist
1980 - 1985	Harding Lawson Associates, Novato, CA Staff and Senior Geologist

EXHIBIT 2

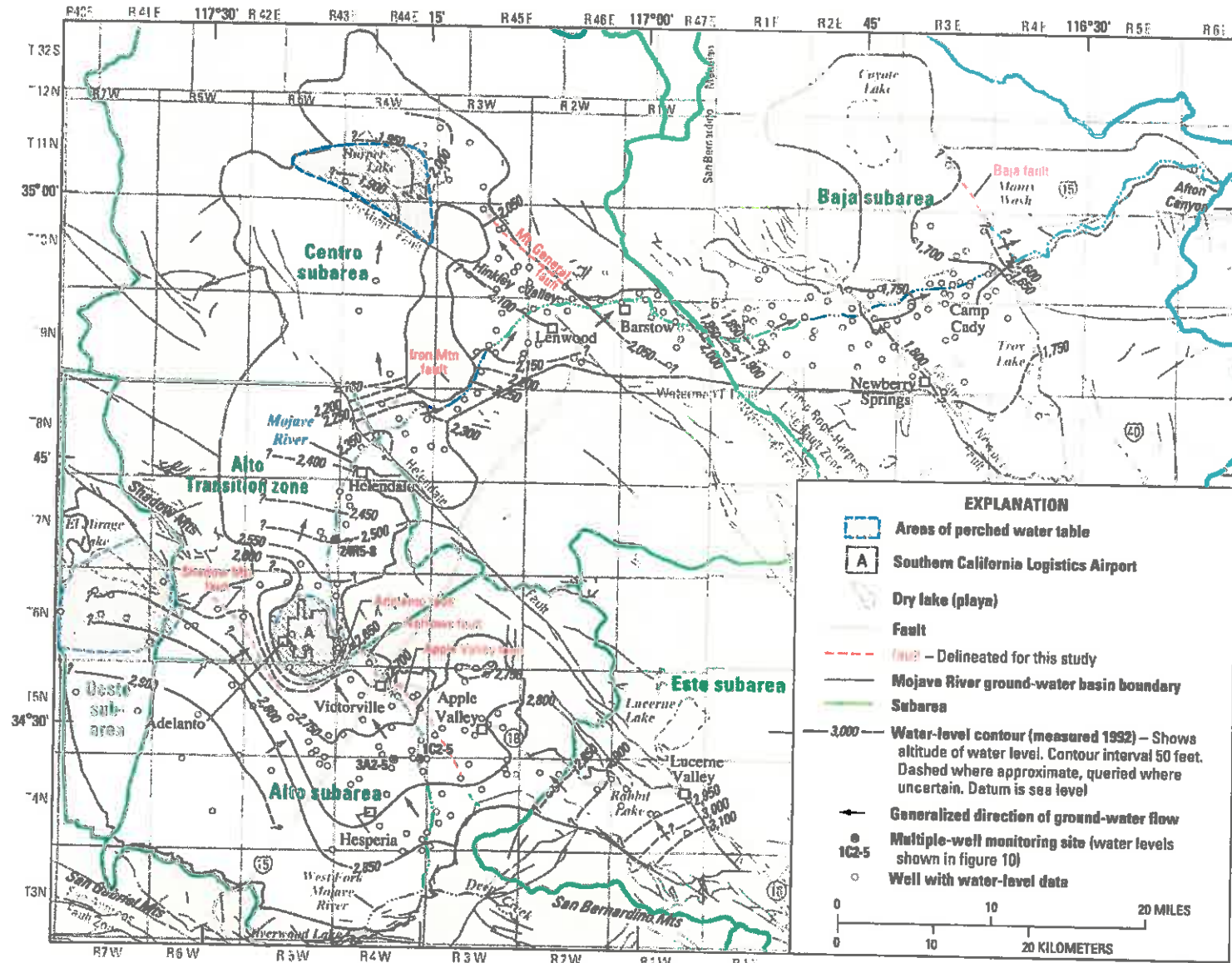


Figure 11. Altitude of water levels and generalized direction of ground-water flow in the Mojave River ground-water basin, southern California, November 1992 (Stamos and Predmore, 1995). (See figure 1 for location of subareas).

EXHIBIT 3

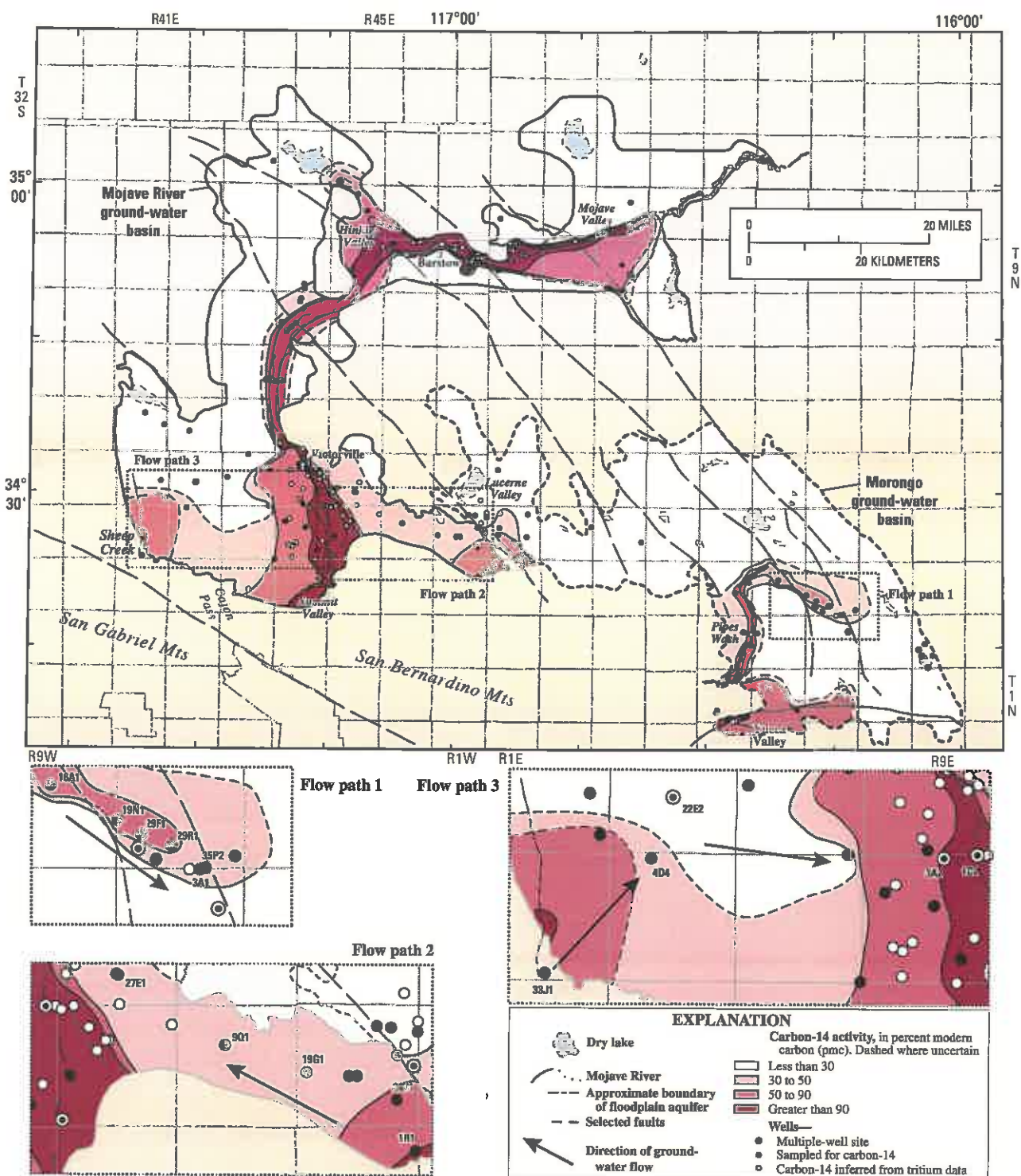


Figure 3. Carbon-14 activity in water from wells in the Mojave River and the Morongo ground-water basins, western Mojave Desert, southern California, 1992–2000.

EXHIBIT 4

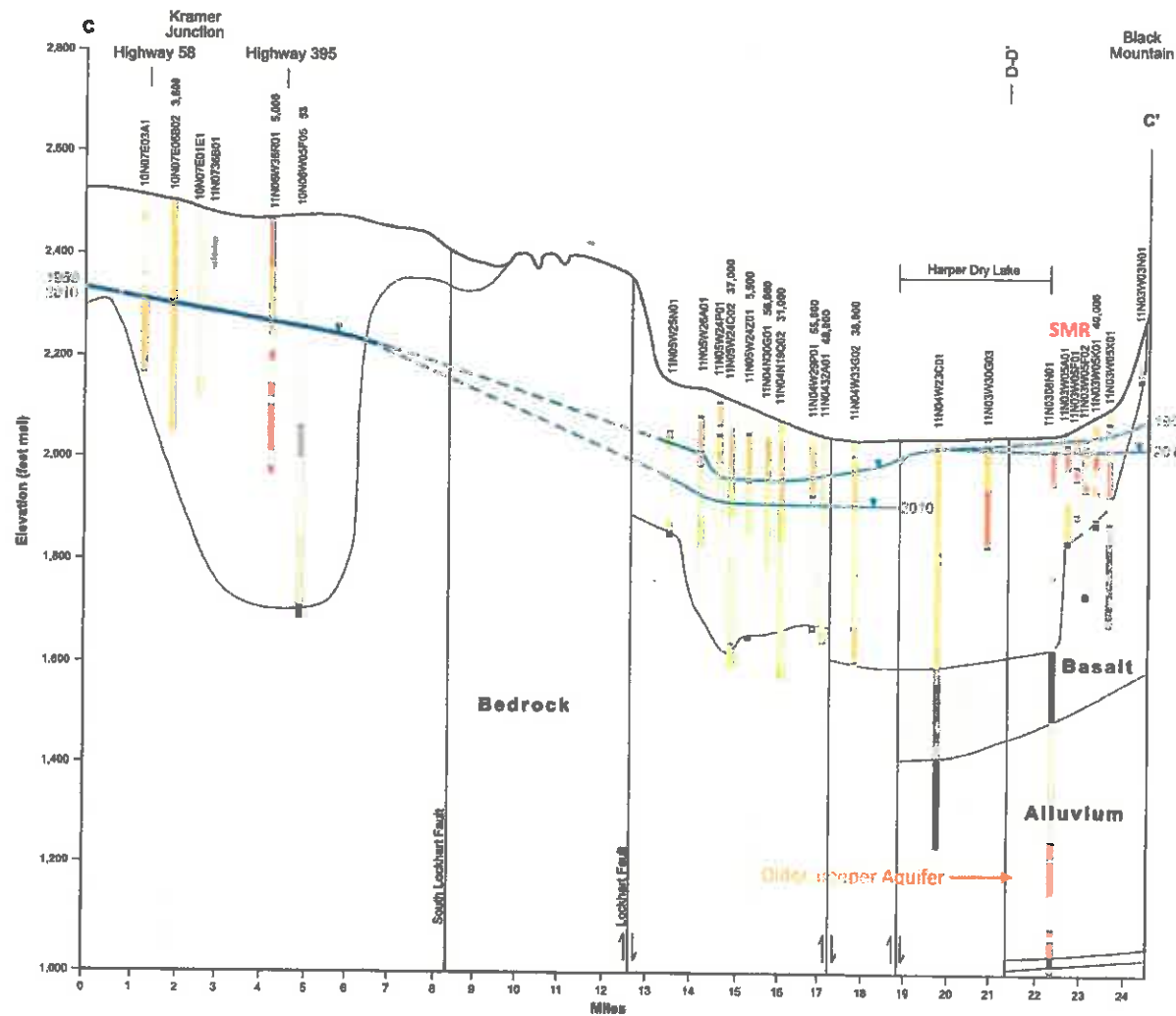
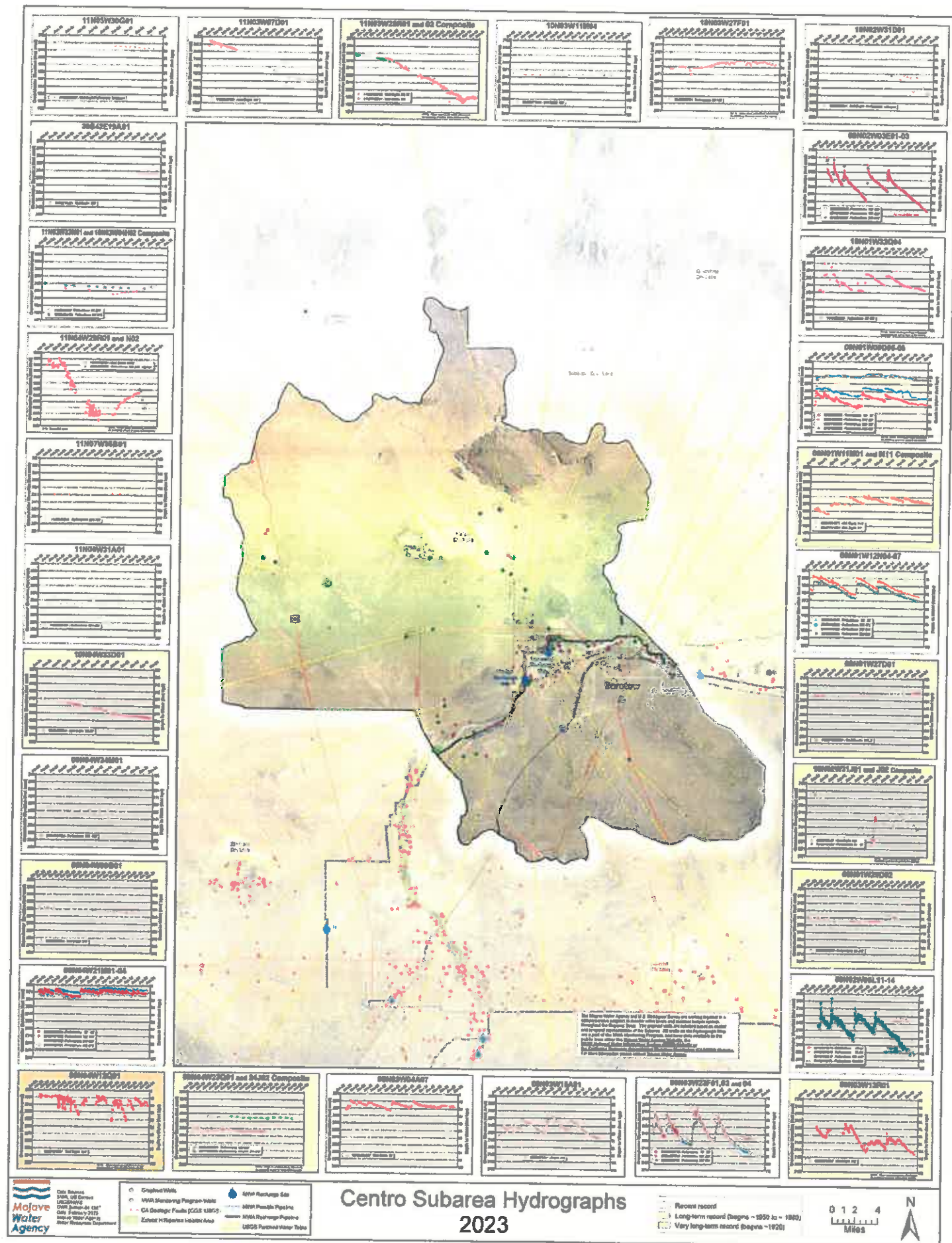


EXHIBIT 5



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 25, 2024, 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:

**DAVID PETERSON DECLARATION IN SUPPORT OF MOJAVE WATER AGENCY'S
OPPOSITION TO MOTION OF SHADOW MOUNTAIN RANCH, LLC TO CLARIFY AND
INTERPRET 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 January 25, 2024 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of January 25, 2024

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Mojave Basin Area Watermaster Service List as of January 25, 2024

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Mojave Basin Area Watermaster Service List as of January 25, 2024

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Mojave Basin Area Watermaster Service List as of January 25, 2024

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Mojave Basin Area Watermaster Service List as of January 25, 2024

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