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EXEMPT FROM FILING FEES  
PER GOV. CODE, § 6103

10  
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 COUNTY OF RIVERSIDE

13  
14 Coordination Proceeding Special Title  
(Cal. Rules of Court, Rule 3.550)

15 **MOJAVE BASIN WATER CASES**

**JCCP NO. 5265**  
**CIV 208568** (Lead Case No.)

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

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17  
18 THE MOJAVE WATER AGENCY, AS THE  
MOJAVE BASIN AREA WATERMASTER,

Plaintiff,

v.

21  
22 All persons who are not presently parties to the  
comprehensive groundwater adjudication in  
23 the *City of Barstow, et al. v. City of Adelanto,*  
*et al.*, Riverside Superior Court Case No. CIV  
24 208568 and are either producing more than 10  
acre-feet of Basin groundwater annually, or  
25 using Basin groundwater for unlawful  
purposes, and Does 1 through 2,000,

Defendants.

**Case No. CIVSB 2218461**

**CALIFORNIA DEPARTMENT OF  
FISH AND WILDLIFE'S JOINDER IN  
THE MOJAVE BASIN  
WATERMASTER'S MOTION TO  
FILE FIRST AMENDED  
COMPLAINT**

Date: April 15, 2024

Time: 8:30 a.m.

Dept.: 1

Judge: Honorable Harold Hopp

Assigned for All Purposes to Dept. 1,  
Honorable Harold Hopp, Judge Presiding by  
Assignment

**Reservation No. 635695970181**

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The California Department of Fish and Wildlife (Department) hereby joins in the Mojave Basin Watermaster’s (Watermaster) Motion to File First Amended Complaint to Add Shadow Mountain Ranch, LLC as a Defendant filed on March 6, 2024. The Department reiterates and incorporates by reference its joinder memorandum in support of the Watermaster’s motion to add Shadow Mountain Ranch filed previously in this case. For the Court’s convenience the Department attaches that joinder hereto as Exhibit A.

Dated: April 2, 2024

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ERIC M. KATZ  
Supervising Deputy Attorney General



NOAH GOLDEN-KRASNER  
MARILYN H. LEVIN  
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# **Exhibit A**

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EXEMPT FROM FILING FEES  
PER GOV. CODE, § 6103

9  
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SAN BERNARDINO

12 Coordination Proceeding Special Title  
13 (Cal. Rules of Court, Rule 3.550)  
14 **MOJAVE BASIN WATER CASES**  
15  
16 THE MOJAVE WATER AGENCY, AS THE  
17 MOJAVE BASIN AREA WATERMASTER,  
18 Plaintiff,  
19 v.  
20 All persons who are not presently parties to the  
21 comprehensive groundwater adjudication in  
22 the *City of Barstow, et al. v. City of Adelanto,*  
23 *et al.*, Riverside Superior Court Case No. CIV  
24 208568 and are either producing more than 10  
acre-feet of Basin groundwater annually, or  
using Basin groundwater for unlawful  
25 purposes, and Does 1 through 2,000,  
26 Defendants.  
27  
28

**JCCP NO. 5265**  
**CIV 208568** (Lead Case No.) MF

Dept. 1, Riverside County Superior Court  
Hon., Craig G. Riemer, Judge Presiding

**CASE NO.: CIVSB 2218461**

**CALIFORNIA DEPARTMENT OF  
FISH AND WILDLIFE JOINDER IN  
THE MOJAVE BASIN  
WATERMASTER'S MOTION TO  
ADD SHADOW MOUNTAIN RANCH,  
LLC, AS A DEFENDANT**

Date: December 7, 2023  
Time: 8:30 a.m.  
Dept.: 1  
Judge: Honorable Craig G. Riemer

Assigned for All Purposes to Dept. 1, Hon.  
Craig G. Riemer, Judge Presiding by  
Assignment

**Reservation No. 631960084740**

1           The California Department of Fish and Wildlife (Department) hereby joins in the Mojave  
2 Basin Watermaster’s (Watermaster) Motion to Add Shadow Mountain Ranch, LLC (Shadow  
3 Mountain) as a defendant in the above-entitled coordinated case (Case No. CIVSB 2218461).

4           The current motion merely seeks to have Shadow Mountain added to the case as a  
5 defendant to the action. As the Watermaster explains in its Second Amended Complaint, the  
6 action seeks a determination of defendants’ water rights, if any, in the Mojave Basin and a  
7 determination of the amount of water, if any, defendants may produce from the Mojave Basin.  
8 (Second Amended Complaint, ¶¶ 16-19.) Shadow Mountain has not answered or otherwise  
9 responded to the Second Amended Complaint, no discovery has been taken to date, no trial date  
10 has been set, and no dispositive motions have been heard in the action.

11           Judicial policy favors the granting of motions to amend pleadings and add new parties,  
12 and discretion is ordinarily used to liberally permit such amendments to pleadings. (*Howard v.*  
13 *County of San Diego* (2010) 184 Cal.App.4th 1422, 1428.) Ordinarily, the judge will *not* consider  
14 the validity of the proposed amended pleading in deciding whether to grant leave to amend.  
15 Grounds for a demurrer or motion to strike are premature. After leave to amend is granted, the  
16 opposing party will have the opportunity to attack the validity of the amended pleading.  
17 (See *Kittredge Sports Co. v. Sup.Ct.* (1989) 213 Cal.App.3d 1045, 1048; *Atkinson v. Elk Corp.*  
18 (2003) 109 Cal.App.4th 739, 760 [“[T]he better course of action would have been to allow  
19 [plaintiff] to amend the complaint and then let the parties test its legal sufficiency in other  
20 appropriate proceedings.”].) Therefore, at this stage, the only question is whether the motion is  
21 timely and whether or not it will prejudice the defendant. (*Morgan v. Sup. Ct.* (1959) 172  
22 Cal.App.2d 527, 530.)

23           The Watermaster’s motion is timely, and Shadow Mountain has not and will not be  
24 prejudiced if it is granted, because as stated above, there have been no dispositive motions, no  
25 discovery taken, and no trial set in the matter. Shadow Mountain will have the opportunity to  
26 bring any dispositive motions it wishes, take whatever discovery it may need, and prepare for  
27 trial, if necessary, after being added as a defendant in the case.

28           The Watermaster’s motion also sets forth a good faith basis for adding Shadow Mountain

1 as a defendant. The Watermaster's motion and supporting declaration provide evidence that  
2 Shadow Mountain's property overlies the Mojave Basin, that Shadow Mountain has wells on its  
3 property, and that Shadow Mountain pumps more than ten acre-feet of water from these wells.  
4 (Motion, p. 5; Supporting Declaration of Jeffrey Ruesch, ¶¶ 3-7.) After Shadow Mountain has  
5 been added as a defendant, through discovery, the Department and parties will have an  
6 opportunity to further determine the facts of this case as it relates to Shadow Mountain.

7 For the above stated reasons, the Department joins in Watermaster's motion and requests  
8 the Court to grant the motion to add Shadow Mountain as a defendant to this action.

9  
10 Dated: November 22, 2023

Respectfully submitted,

11  
12 ROB BONTA  
13 Attorney General of California  
14 ERIC M. KATZ  
15 Supervising Deputy Attorney General



16 NOAH GOLDEN-KRASNER  
17 Deputy Attorney General  
18 *Attorneys for California Department of Fish  
and Wildlife*

19 LA1990CV1678  
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**DECLARATION OF SERVICE BY E-MAIL AND OVERNIGHT COURIER**

Case Name: **City of Barstow v. City of Adelanto**

Case No.: **CIV208568**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is: 300 South Spring Street, Suite 1702, Los Angeles, CA 90013-1230. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for overnight mail with the **Federal Express** courier service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the overnight courier that same day in the ordinary course of business.

On November 22, 2023, I served the attached: **CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE JOINDER IN THE MOJAVE BASIN WATERMASTER'S MOTION TO ADD SHADOW MOUNTAIN RANCH, LLC, AS A DEFENDANT**

by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, for overnight delivery, addressed as follows:

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E-Mail: lmcclhaney@bmklawplc.com  
*Attorneys for Defendant/Cross-Complainant  
Mojave Water Agency*

Valerie Wiegenstein  
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Mojave Water Agency  
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E-Mail: alison.toivola@bbklaw.com  
Attorneys for Specially-Appearing Petitioner  
Shadow Mountain Ranch, LLC

I declare under penalty of perjury under the laws of the State of California and the United States of America, the foregoing is true and correct and that this declaration was executed on **November 22, 2023**, at Los Angeles, California.

Ernestina Provencio

Declarant

*Ernestina Provencio*

Signature



**DECLARATION OF SERVICE BY E-MAIL AND OVERNIGHT COURIER**

Case Name: **City of Barstow v. City of Adelanto**

Case No.: **CIV208568**

I declare: I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is: 300 South Spring Street, Suite 1702, Los Angeles, CA 90013-1230. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for overnight mail with the **Federal Express** courier service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the overnight courier that same day in the ordinary course of business.

On April 2, 2024, I served the **CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE'S JOINDER IN THE MOJAVE BASIN WATERMASTER'S MOTION TO FILE FIRST AMENDED COMPLAINT** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, for overnight delivery, addressed as follows:

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*Attorneys for Defendant/Cross-Complainant  
Mojave Water Agency*

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E-Mail: [alison.toivola@bbklaw.com](mailto:alison.toivola@bbklaw.com)  
*Attorneys for Specially-Appearing  
Petitioner Shadow Mountain Ranch, LLC*

I declare under penalty of perjury under the laws of the State of California and the United States of America, the foregoing is true and correct and that this declaration was executed on April 2, 2024, at Los Angeles, California.

---

Beatriz Davalos  
Declarant

---

  
Signature

**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 April 2, 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:

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE'S JOINDER IN THE MOJAVE BASIN WATERMASTER’S MOTION TO FILE FIRST AMENDED COMPLAINT**

  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 April 2, 2024 at Apple Valley, California.

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

## Mojave Basin Area Watermaster Service List as of April 02, 2024

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Attn: John McCallum  
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Attn: Matthew Schulenberg  
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Attn: Emely and Joe Saltmeris  
Apple Valley View Mutual Water Company  
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Attn: Tina Kuhns  
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Attn: Daniel Shaw (barhwater@gmail.com)  
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## Mojave Basin Area Watermaster Service List as of April 02, 2024

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Attn: George Starke  
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Rancho Cucamonga, CA 91730-

Attn: Gwen Bartels  
Cross, Francis and Beverly  
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Attn: Shanna Mitchell (daggettcsd@aol.com;  
daggettcsd@outlook.com;  
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Daggett Community Services District (via  
email)  
P. O. Box 308  
Daggett, CA 92327-0308

Attn: Steve and Dana Rivett  
Daggett Ranch, LLC  
P. O. Box 112  
Daggett, CA 92327-0112

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

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

Darr, James S.  
40716 Highway 395  
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Attn: Alan L. De Jong  
De Jong Family Trust  
46561 Fairview Road  
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## Mojave Basin Area Watermaster Service List as of April 02, 2024

Attn: Randy Wagner  
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Lucerne Valley, CA 92356-0709

Attn: Denise Courtney  
Desert Springs Mutual Water Company  
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Attn: Debby Wyatt  
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13830 Choco Rd.  
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Attn: Judith Dolch-Partridge, Trustee  
Dolch Living Trust Robert and Judith  
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Attn: Jeffery Lidman  
Dora Land, Inc.  
P. O. Box 1405  
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Attn: David Dorrance  
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Attn: David Looper  
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Carson, CA 90745-2709

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Gabrych, Eugene  
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9366 Joshua Avenue  
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Attn: Jay Storer  
Gaeta, Trinidad  
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## Mojave Basin Area Watermaster Service List as of April 02, 2024

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358 Chorus  
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975 Bryant  
Calimesa, CA 92320-1301

Attn: Brian E. Bolin  
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Attn: William Handrinos  
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Hang, Phu Quang  
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## Mojave Basin Area Watermaster Service List as of April 02, 2024

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Attn: Jeremy McDonald  
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Attn: Carabeth Carter ()  
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(lechiatt@hotmail.com)  
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Claremont, CA 91711-4614

Attn: Lori Clifton (lclifton@robar.com)  
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Hesperia, CA 92345-4902

Attn: Lori Clifton (lclifton@robar.com)  
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17671 Bear Valley Road  
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Attn: Frank Hilarides  
Hilarides 1998 Revocable Family Trust  
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Newberry Springs, CA 92365

Attn: Katherine Hill (Khill9@comcast.net)  
Hill Family Trust and Hill's Ranch, Inc. (via email)  
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Attn: Anne Roark  
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Ho, Ting-Seng and Ah-Git  
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Attn: Paul Hong  
Hong, Paul B. and May  
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Attn: Sandra D. Hood  
Hood Family Trust  
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## Mojave Basin Area Watermaster Service List as of April 02, 2024

Attn: James Jackson Jr.  
Jackson, James N. Jr Revocable Living Trust  
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Attn: Lawrence Dean  
Jackson, Ray Revocable Trust No. 45801  
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Redlands, CA 92375-1450

Attn: Audrey Goller  
(audrey.goller@newportpacific.com)  
Jamboree Housing Corporation (via email)  
15940 Stoddard Wells Rd - Office  
Victorville, CA 92395-2800

Attn: Gary A. Ledford  
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Jess Ranch Water Company (via email)  
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Attn: Paul Johnson  
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Johnson, Paul - Industrial (via email)  
10456 Deep Creek Road  
Apple Valley, CA 92308-8330

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

Attn: Lawrence W. Johnston  
Johnston, Harriet and Johnston, Lawrence W.  
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Hesperia, CA 92340-1472

Attn: Magdalena Jones  
(mygoldenbiz9@gmail.com)  
Jones Trust dated March 16, 2002 (via email)  
35424 Old Woman Springs Road  
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Jones, Joette  
81352 Fuchsia Ave.  
Indio, CA 92201-5329

Attn: Paul Jordan  
Jordan Family Trust  
1650 Silver Saddle Drive  
Barstow, CA 92311-2057

Attn: Ray Gagné  
Jubilee Mutual Water Company  
P. O. Box 1016  
Lucerne Valley, CA 92356

Attn: Lee Logsdon  
Juniper Riviera County Water District  
P. O. Box 618  
Lucerne Valley, CA 92356-0618

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Attn: Nancy Lan  
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## Mojave Basin Area Watermaster Service List as of April 02, 2024

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Attn: Billy Liang  
Liang, Yuan - I and Tzu - Mei Chen  
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Attn: Manshan Gan  
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Attn: Manoucher Sarbaz  
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6831 Lime Avenue  
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Attn: Robert Saidi  
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## Mojave Basin Area Watermaster Service List as of April 02, 2024

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Milbrat, Irving H.  
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## Mojave Basin Area Watermaster Service List as of April 02, 2024

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## Mojave Basin Area Watermaster Service List as of April 02, 2024

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