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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 FOR THE COUNTY OF RIVERSIDE

14 Coordination Proceeding Special Title
15 (Cal. Rules of Court, rule 3.550)
16 MOJAVE BASIN AREA WATER CASES

~~JCCP NO.: 5265~~

Lead Case No. CIV208568

Assigned for All Purposes to the
Honorable Harold W. Hopp, Dept. 1

Honorable Craig G. Reimer, Judge
Presiding by assignment of the Chief
Justice

**GOLDEN STATE WATER
COMPANY'S REPLY TO
AMENDED AND SUPPLEMENTAL
OPPOSITIONS TO MOTION TO
ENFORCE JUDGMENT**

*[Filed concurrently with Declaration of
Stephanie Osler Hastings; Declaration of
Anthony Brown; Objections; Notice of
Lodging]*

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Center)
Judge: Hon. Craig G. Reimer

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16 CITY OF BARSTOW, et al.,
17 Plaintiff,
18 v.
19 CITY OF ADELANTO, et al.,
20 Defendant.

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1 **I. INTRODUCTION**

2 Despite their second bite at the apple—a continuance of the October 2, 2024 hearing and
3 some 220 additional pages of supplemental briefing and evidence—the Opposing Parties¹ have done
4 nothing to refute the fundamental concern raised by Golden State Water Company’s (“**GSWC**”)
5 Motion, specifically: that the Transition Zone water budget is comprised of too many assumptions
6 and estimates, that the results do not comport with actual conditions “on the ground,” and therefore
7 are likely to be inaccurate, thereby likely affecting the accuracy of PSY.²

8 At various times, the Opposing Parties have expressly acknowledged the need to conduct the
9 same investigations and to update PSY for the Alto and Centro Subareas. Nevertheless, their
10 amended/supplemental pleadings dated October 9, 2024 (individually and collectively, “**2nd**
11 **Opposition(s)**”), together with the amended and additional declarations, and Opposing Parties’ prior
12 pleadings and evidence (collectively referred to as “**the Oppositions**”), oppose the Motion on
13 various unrelated and irrelevant grounds. GSWC urges the Court to consider its Proposed Order.
14 GSWC seeks an order requiring Watermaster to undertake its duties under the Judgement to use the
15 “best available data” and employ “sound science and engineering” in its preparation of the water
16 budget that is used to calculate the PSY and other required calculations. Importantly, GSWC’s
17 Motion and Proposed Order **do not** ask for the Court to make a determination with respect to (a) the
18 cause of water level decline in the Centro Subarea, or (b) whether the Alto Subarea Producers have
19 met their Subarea Obligation.

20 This Reply to Amended and Supplemental Oppositions to Motion To Enforce Judgment
21 (“**GSWC 2nd Reply**”) seeks to re-focus the Court on the Motion before responding to Opposing
22 Parties’ distracting arguments. In the interest of judicial efficiency, many of the Opposing Parties’
23 arguments already addressed and disposed of in GSWC’s Reply to Oppositions to Motion To
24 Enforce Judgment (“**GSWC Reply**”) and are not repeated here. GSWC’s procedural and evidentiary
25 objections to the 2nd Oppositions and supporting materials are set forth separately in GSWC’s
26

27 ¹ The Mojave Area Watermaster (“**Watermaster**”), City of Hesperia (“**Hesperia**”), and City of
28 Victorville/Victorville Water District (“**Victorville**”) are collectively referred to as “**Opposing**
Parties.”

² Capitalized terms not defined herein have the same meaning as in the Judgment.

1 Objections filed concurrently herewith. Pursuant to the Court’s 10/7/24 Order, no new evidence is
2 submitted with GSWC’s 2nd Reply; the supporting declarations are do not include new evidence.

3 **II. GSWC SEEKS AN ORDER TO RE-EVALUATE THE 2024 PSY UPDATE AND**
4 **DEVELOP A PLAN TO IMPROVE HYDROLOGIC DATA COLLECTION AND**
5 **ESTIMATES TO IMPROVE MANAGEMENT OF THE BASIN**

6 In 2022, the Court initiated a PSY update for all the Subareas because Alto’s FPA had been
7 reduced to just above PSY, but groundwater levels continued to drop and therefore the Court found
8 it “logical to question whether PSY calculations are founded on correct assumptions.” (GSWC 0169
9 [7/3/24 Ruling (“7/3/24 Order”) on WM’s Annual Mot. to Adjust FPA for Water Year 2024-2025
10 (“2024-25 FPA Motion”).) At the time, the Watermaster Engineer opined that it “would be more
11 prudent to select “a shorter, drier planning period (hydrologic base period) for local supply . . .
12 resulting in a lower estimated [PSY] and consequently a lower annual [FPA].” (GSWC 0169-70.)

13 Although declining water levels and loss of groundwater in storage prompted the PSY
14 update, Watermaster’s 2024 PSY Update, based on new, shorter planning periods, proposed to
15 *increase* the PSY in every Subarea. (GSWC 0177 [7/3/24 Order].) GSWC Opposed the 2024 PSY
16 Update and the Court granted leave for GSWC’s Motion to expand on its concerns about the 2024
17 PSY Update and the adequacy of the underlying water budgets. The Motion and related briefing,
18 supported by expert opinion, explains GSWC’s concerns about declining water levels in the Centro
19 Subarea and respectfully asks the Court to order Watermaster to: (1) re-evaluate the water budgets,
20 including the factual basis and underlying assumptions, and recalculate the PSY for the
21 Watermaster’s 31st Annual Report; and (2) prepare a report identifying recommendations and a
22 timeline to improve hydrologic data collection and scientific and engineering estimates for future
23 PSY updates for the Watermaster’s 32nd Annual Report. (Mot., pp: 18:26-19:12; Proposed Order.)

24 **III. THE OPPOSITIONS ARE WITHOUT MERIT**

25 **A. Arguments Common to the Oppositions**

26 The following disposes of the arguments common to the 2nd Oppositions.

27 **1. The Judgment Contains an Obligation to the Centro Subarea Producers,**
28 **Not Just an Obligation to the Transition Zone**

GSWC has already addressed Opposing Parties’ arguments that the Alto Subarea has no

1 obligation to the Centro Subarea. (See GSWC Reply, pp. 6:13-7:25.) GSWC correctly cites all
2 provisions of the Judgment relating to each Subarea’s Obligations to the downstream Subarea,
3 whereas opposing Parties rely solely on Appendix G and ignore the remainder of the Judgment’s
4 provisions. The Watermaster even contradicts its own position. Watermaster’s 2nd Opposition
5 acknowledges the Parties “intended” for Storm Flows and other water to pass through the “Transition
6 Zone” provided that water levels in the Transition Zone are stable. (WM’s Am. Opp. to GSWC’s
7 Mot. to Enforce Judgment; Decl. of Robert C. Wagner (“**WM 2nd Opposition**”), p. 5:25-28; GSWC
8 0197, 0207-08 [WM Engineer’s description of flows across the Transition Zone]; see also 9/24/24
9 Hastings Decl., ¶¶ 5-6, Exs. 1-3 [regarding change to Figure 3-10 between the Watermaster Annual
10 Report for Water Year 2020-21 and 2021-22 related to whether the Alto Subarea Obligation is “to
11 the Centro Subarea”].) This interpretation aligns with Paragraph 13 of the Judgment that the Centro
12 Subarea is intended to receive the Alto Subarea Obligation through the Transition Zone. (Judgment,
13 ¶ 13.) Further, even assuming *arguendo* Alto Subarea Producers’ Subarea Obligation is exclusively
14 to the Transition Zone—regardless of whether any of the delivered waters flow from the Transition
15 Zone into the Centro Subarea—does not relieve Watermaster of its obligation to calculate inflows
16 into the Centro Subarea using an accurate water budget.

17 **2. The Oppositions Avoid GSWC’s Fundamental Concerns, But**
18 **Acknowledge the Need For Better Science**

19 Rather than focus on GSWC’s fundamental concerns with the 2024 PSY Update, and
20 underlying water budgets, Opposing Parties continue to argue about matters wholly unrelated to the
21 accuracy of the 2024 PSY Update. (See, e.g., WM 2nd Opp., pp. 2-4 [arguing about causation for
22 declining water levels].) Further, GSWC remains beguiled by the Opposing Parties’ vehement
23 objection to the Motion, despite acknowledging the need for improved data and science to better
24 implement the Judgment. For example, “[Victorville] supports the advancement of Mojave Basin
25 science, including the in-progress expansion of the Upper Mojave River Basin Model to include the
26 TZ, Centro and Baja Subarea[s]” (Victorville’s Am. Opp. to GSWC’s Mot. to Enforce Judgment
27 (“**Victorville 2nd Opposition**”), p. 3:13-15), yet rejects all GSWC recommendations to improve
28 Basin data collection and science (*Id.*, p. 2:6-8). This is in stark contrast to Victorville’s position last

1 year when Watermaster proposed a reduction in Alto’s PSY:

2 **VWD supports the use of actual data rather than estimates where**
3 **possible**, and agrees with the Watermaster Engineer’s statement that
4 “[t]o more fully evaluate PSY, it is necessary to investigate
5 **consumptive use of production, return flow of production, water**
6 **use by riparian habitat, gaged and ungaged inflow, mountain**
7 **front recharge, estimates of inflow and outflow to and from the**
8 **Transition Zone** and evaluate the changes in water levels over time.”

9 (10/16/24 Hastings Decl., ¶ 11, Ex. 5, Victorville Comments on 2023-24 FPA Motion, p. 3:4-10
10 (emphasis added); compare *id.* at ¶ 10, Ex. 4, Hesperia Opp. to 2023-24 FPA Motion, pp. 5:26-6:15
11 [arguing “Watermaster should complete a more recent study to develop accurate consumptive use
12 estimates in accordance with its obligations under the Judgment”] to Hesperia Suppl. Opp. to
13 GSWC’s Mot. to Enforce Judgment (“**Hesperia 2nd Opposition**”), pp. 5:18-6:3 [citing quote from
14 Watermaster about certain other measurements being “adequate for estimating the water balance in
15 the [Transition Zone] and calculating outflow across the Helendale Fault”].)

16 In short, the parties largely agree that Watermaster’s water budgets are too simplistic, they
17 rely on too many estimates and assumptions, and they should be updated. (Mot., pp. 14:8-18:6; see
18 also GSWC Reply, p 3:24-4:12 [describing points of agreement between GSWC and Watermaster
19 Engineer]; WM 2nd Opp., 10/9/24 Wagner Decl., Ex. 1, p. 10 [agreeing to make certain updates].)

20 **3. Watermaster’s Assurances of a Forthcoming Model Update do Not Moot**
21 **the Motion**

22 Instead of addressing GSWC’s Motion on its merits—specifically, whether the components
23 of the water budget for the 2024 PSY Update are adequate—Opposing Parties argue that GSWC’s
24 Motion is premature and GSWC should be patient. (WM 2nd Opp., pp. 14:22-15:16; Victorville 2nd
25 Opp. p. 3:13-16; Hesperia 2nd Opp., p. 7:23-25.) This argument is effectively a request for a *further*
26 continuance in disguise. Waiting for Watermaster to expand the model, but without any critical
27 analysis and updating of the model inputs—the same inputs that make up Watermaster’s current
28 water budgets—only forces GSWC to renew its Motion again in 2025. (GSWC Reply, p. 9:10-16.)
Models are only as good as their inputs. Now is the opportunity to evaluate those inputs, prior to
finalizing the model. (See Mot., p. 16:23-24; GSWC Reply, fn. 12; GSWC 0026-27 [outlining
concerns with current model], 0268-70 [describing model calibration process] .)

1 In the 7/3/24 Order, the Court noted that “the model Watermaster is developing does not yet
2 extend to Centro, suggesting that the proposed PSY may not be accurate.” (GSWC 0181.) Yet,
3 Watermaster prepared and adopted the 2024 PSY Update **without** the model update. While GSWC
4 appreciates Watermaster’s “commitment” to complete the model update by the end of the year (WM
5 2nd Opp., p. 9:19-20), GSWC’s Motion and Proposed Order asks the Court to ensure Watermaster
6 timely updates the model, based on the best available data and sound science, and to the extent
7 needed, to re-evaluate the 2024 PSY update. GSWC’s Motion is timely.

8 **4. GSWC is Not Required to Prove the Negative to Support its Motion**

9 Opposing Parties argue that GSWC has not considered all potential causes for declining
10 water levels in its wells other than reduced recharge (inflows) from the Alto Subarea, including the
11 Transition Zone. (See, e.g., WM 2nd Opp., pp. 11:21-13:23; Victorville 2nd Opp., p. 5:1-20; Hesperia
12 2nd Opp., pp. 3:26-4:27.) First, this argument is irrelevant. (See Section III.B.1.) Second, GSWC
13 has no obligation to prove the negative. (See GSWC Reply, p. 4:13-6:10.)

14 GSWC’s Motion relies on expert opinion, among other things, that concludes it is “more
15 likely [than not] that **recharge [inflows] to Centro from Alto has decreased** and contributed to
16 water level declines” and “Watermaster . . . should take actions to better quantify recharge to Centro,
17 notably stream flows in the Mojave River and subsurface flow.” (GSWC 0014 [emphasis added].)
18 To enforce the Judgment’s obligations on Watermaster to use the best available science and employ
19 sound engineering—which is the goal of the Motion—GSWC need not prove all the possible reasons
20 why recharge (inflows) to the Centro Subarea has declined. That is Watermaster’s duty. (Judgment,
21 ¶¶ 24(e), (o), (w), Ex. C & H.) The core problem is that Watermaster’s water budgets, especially in
22 the absence of a well-calibrated model founded on rigorously evaluated model inputs, are too
23 simplistic to provide the answer.

24 Opposing Parties now argue that GSWC has failed to demonstrate that reduced recharge
25 (inflows) to the Centro Subarea, and not other factors, has contributed to declining water levels in
26 GSWC’s wells. (WM 2nd Opp., pp. 11:21-13:23; Victorville 2nd Opp., p. 6:19-21; Hesperia 2nd Opp.,
27 p. 8:4-6.) In fact, Watermaster acknowledges that “drought” conditions between 2012 and 2022
28 reduced inflows into the Centro Subarea. (Watermaster 2nd Opp., pp. 2:12-23, 3:14-4:27, 15:23-16:1;

1 see also 10/16/24 Hastings Decl., ¶ 6.) Thus, even if GSWC was required to prove the negative in
2 this instance, Watermaster has already done so.

3 Watermaster further argues that more than two possible reasons exist for the decreasing water
4 levels. (WM 2nd Opp., p. 12:8-23.) While GSWC agrees that many factors may be contributing in
5 whole or in part to falling water levels in GSWC’s wells and elsewhere in the Centro Subarea
6 (GSWC 0022-25 [detailing the several factors from Watermaster’s water budget that may influence
7 inflows]), there are only two **net** results of a water budget—inflows and outflows. (See GSWC 0018-
8 0025 [Expert Report, §§ 4.1 & 4.2].) Since Mr. Brown concludes that outflows are not likely causing
9 the observed water level declines, it follows that there must be at least one component of the inflows
10 side of the water budget that is not accurate. (GSWC 0032.) The factor(s) responsible for the decline
11 is/are for Watermaster, not GSWC, to determine as part of its re-evaluation of the PSY.

12 Watermaster casts dispersions on Mr. Brown’s analysis of GSWC wells based on the
13 available data claiming it is incomplete (WM 2nd Opp., pp. 12:24-13:14), but ignores that Mr. Brown
14 acknowledges the limitations of the analysis and recommends that Watermaster conduct a more
15 robust analysis to better understand the Basin. (GSWC 0032.) Watermaster, not GSWC, has the
16 data available to it to conduct the analyses required to explore whether the various hypotheses are
17 reasonable and to improve groundwater management under the Judgment. (See also Section III.B.2.)

18 5. Opposing Parties Mischaracterize GSWC Arguments

19 Opposing Parties also argue that GSWC has failed to demonstrate that the Alto Subarea
20 Producers are failing to meet their obligation to the Transition Zone. (WM 2nd Opp., pp. 2:4-7, 5:6-
21 10; Victorville 2nd Opp., p. 6:10-21; Hesperia 2nd Opp., p. 8:4-6.) Although Mr. Brown opines that,
22 based on the analysis, “it is more likely [than not] that recharge to Centro from Alto has decreased”
23 (GSWC 0014) and that Watermaster should conduct certain analysis to confirm **whether** that is the
24 case (see GSWC 0034), GSWC does not argue that Alto Subarea Producers are failing to meeting
25 their obligations under the Judgment and the Motion does not seek an order to this effect. (See
26 Proposed Order; see also Section III.A.4 *ante*.) Therefore, GSWC has no obligation to prove the
27 Subarea Obligation has not been met.
28

1 **B. Watermaster’s 2nd Opposition and New Evidence Continues to Ignore the**
2 **Inescapable Conclusion that the 2024 PSY Update is Inadequate**

3 Watermaster’s remaining arguments are addressed here.

4 **1. Causation for Declining Water Levels**

5 For years, Watermaster has blamed chronically falling water levels on GSWC’s own
6 pumping. (See, e.g., Hastings Decl., ¶ 8, Ex. 2, 2024-25 FPA Motion, 5/1/24 Wagner Decl., p. 4:11-
7 24; WM 2nd Opp., pp. 12:24-13:14.) In Watermaster’s Reply in support of the 2024-2025 FPA
8 Motion, Watermaster argued that “rocket science” was not required to understand why water levels
9 in GSWC’s well field had declined; it concluded that concentrated pumping by GSWC and others
10 was to blame. (Hastings Decl., ¶ 9, Ex. 3, 2024-25 FPA Motion Reply, pp. 4:22-5:8.) Now,
11 Watermaster “agrees that declining groundwater levels in [GSWC’s] well fields have not been
12 caused solely by [GSWC’s] groundwater extractions” (WM 2nd Opp., p. 2:12-13), but continues to
13 argue that “rocket science” is not required to understand why water levels in GSWC’s well field
14 have declined; now blaming the extended drought. (See WM 2nd Opp., pp. 2:2-3:1, 3:12-4:27.)
15 **GSWC agrees—it does not take rocket science** to understand that reduced recharge (inflows) into
16 the Centro Subarea are impacting water levels in GSWC’s wells and elsewhere in the Centro
17 Subarea. Nevertheless, this does not excuse Watermaster’s obligation to use the **best available**
18 **science**—whether “rocket science” or otherwise—when determining the PSY for each Subarea and
19 other required calculations.

20 At issue in GSWC’s Motion is that Watermaster’s PSY calculation does not comport with
21 falling water levels. The **cause** of the reduced inflows is irrelevant. What matters is that the PSY—
22 which the Judgment requires to be refined and updated over time as the hydrology, water uses and
23 operations, and other factors change—reflects actual conditions and therefore provides the Court
24 with the appropriate tools to manage the Basin. (Judgment, ¶¶ 21, 24(e), (w).)

25 Despite Watermaster’s contrary assertions (see, e.g., WM 2nd Opp., p. 4:25-27), GSWC’s
26 expert analysis concurs with Watermaster’s latest assessment of groundwater level decline. Mr.
27 Brown found water levels in GSWC’s wells were generally decreasing between 2005 and 2024,
28 including during drought conditions (GSWC 0031), that declining water levels—quantified by static

1 water-level measurements—**do not** correlate with GSWC’s pumping in those wells (GSWC 0032),
2 but that the water levels **do** increase in response to stream discharge data in the Mojave River (i.e.,
3 surface water and storm flows). (GSWC 0030.) Based on this information, Mr. Brown concludes
4 “insufficient water supply (i.e., low/decreased inflows from Alto/TZ), appear to play a major role in
5 the observed increases in depth to water over time.” (GSWC 0032.) This opinion is supported by the
6 evidence, yet is ambivalent as to the cause of the reduced inflows, which could be attributed to
7 extended drought conditions or some other cause.

8 Watermaster makes too much of Mr. Brown’s conclusion that “the declining water levels
9 call into question whether groundwater Producers in Alto are meeting their obligation to deliver
10 defined volumes of annual recharge to Centro as defined in the Judgment.” (WM 2nd Opp., p. 5:1-
11 8:9; GSWC 0032.) First, Mr. Brown acknowledges that it is uncertain why reduced recharge
12 (inflows) into the Centro Subarea are occurring. (GSWC 0032 (“**call into question**”).) Second, Mr.
13 Brown specifically recommends that after Watermaster re-evaluates its water budgets with improved
14 quantification of key components that are currently assumed, estimated, and/or calculated, including
15 surface water flows between the Alto and Centro Subareas, Watermaster should determine **whether**
16 the Subarea Obligation has been and will be satisfied. (GSWC 0033-34.) Mr. Brown further
17 acknowledges that the Subarea Obligation **may, or may not be**, being met. (GSWC 0034 [see
18 Recommended Actions 4–6]; see also GSWC Reply, p. 7:25-25 [“Any suppositions about what
19 arguments may follow Watermaster’s re-evaluation of the 2024 PSY Update are premature.”].)

20 2. Adequacy of the 2024 PSY Update

21 Watermaster and GSWC’s agreement that water levels in the Centro Subarea are
22 experiencing chronic decline stands in stark contrast to Watermaster’s net change in Centro Subarea
23 storage figures, depicting record **increases** in storage (GSWC 0353), and its proposal to increase the
24 Centro Subarea PSY from 21,088 AF to 31,420 AF, a total of 10,332 AF and a 49 percent increase.³
25 (GSWC 0181 [7/3/24 Order].) Although Watermaster provides hydrographs for wells with
26 increasing water levels in the Centro Subarea (WM 2nd Opp., 10/9/24 Wagner Decl., Ex. 6),⁴ many

27 ³ For the Alto Subarea, Watermaster similarly recommended a PSY increase of 2,596 AF, a 4.4
28 percent increase. (GSWC 0181.)

⁴ Notably, Watermaster Engineer selected “representative” hydrographs at wells closest to recharge

1 wells within the Centro Subarea still have water levels at or near historical lows. (WM 2nd Opp.,
2 10/9/24 Wagner Decl., Ex. 1.B [see wells 10N02W31D01, 09N03W13R01, 09N02W03E01-03,
3 09N01W12N04-07]; see also GSWC 0346 [same].) Accordingly, regardless of the cause of reduced
4 inflows, the evidence demonstrates one or more components of the water budget are more likely
5 than not inaccurate, which supports GSWC’s skepticism about the accuracy of the Watermaster’s
6 2024 PSY Update.

7 Watermaster’s argument further highlights the importance of an accurate PSY update. The
8 Centro Subarea PSY increase sets the Centro Subarea FPA only slightly above its PSY. (GSWC
9 0054.) As the Court has previously determined that it cannot reduce FPA below PSY (GSWC 0169),
10 the over-estimation of PSY may have dramatic consequences for management of the Centro Subarea
11 under the Judgment. If Watermaster’s PSY update incorrectly over-estimates PSY, the Centro
12 Subarea Producers may overdraft the Centro Subarea without exceeding the FPA, and thus triggering
13 Make Up Obligations, further depleting supply. The artificially high PSY also would constrain the
14 Court’s ability to further lower FPA without first ordering another PSY update.

15 Finally, Watermaster continues to argue that a gage at the Transition Zone and Centro
16 Subarea boundary is infeasible and even suggests that the Judgment, which requires the installation
17 of monitoring wells in the Transition Zone, somehow prohibits the installation of a gage to measure
18 surface water flows. (WM 2nd Opp., pp. 9:24-11:4.) In addition to the absurdity of this position given
19 the Judgment’s clear direction to improve data collection and to employ sound science (Judgment,
20 ¶¶ 21, 24(o), (w)), the Watermaster Engineer indicates that he may study the use of remote sensing
21 to approximate Mojave River flows (10/9/24 Wagner Decl., Ex. 1, p. 10.)

22 **C. Victorville’s 2nd Opposition**

23 Victorville’s 2nd Opposition does not respond to GSWC’s Motion or the Proposed Order.
24 Rather, it merely critiques GSWC’s statistical analysis of its own pumping (GSWC 0028-33), which

25 _____
26 facilities in the Centro Subarea, which are impacted by both storm flows and Watermaster’s
27 additional recharge of imported State Water Project water. (WM 2nd Opp., 10/9/24 Wagner Decl.,
28 Exs. 1.B, & 6; see also WM 2nd Opp., p. 1:14-16.) Although GSWC appreciates Watermaster’s
recharge activities in the Centro Subarea to address declining water levels, claiming these wells are
representative of Centro Subarea water level conditions—without acknowledging this voluntary,
artificial recharge—masks the overall water level conditions in the subarea.

1 was conducted in **response** to the Watermaster Engineer’s original theory (see Section III.B.1 *ante*),
2 that declining water levels in the Centro Subarea near GSWC wells are “due to concentrated
3 pumping in this area” (see, e.g., 10/16/24 Hastings Decl., ¶ 8, Ex. 2, 2024-25 FPA Motion, 5/1/2024
4 Wagner Decl., p. 4:13-15, 4:21-23) and not inadequate inflows to the Centro Subarea.

5 Much of Mr. Leffler’s declaration amounts to an argument that GSWC has failed to prove
6 the negative. For example: “GSWC well level data presented by Mr. Brown does not adequately
7 demonstrate chronic water level declines [in the Centro Subarea].” (Leffler Decl., ¶ 13.a.) Aside
8 from the fact that GSWC is not required to prove the negative to support the Motion (see Section
9 III.A.4 *ante*), “Watermaster **agrees** the declining groundwater levels in Golden State’s well field
10 have not been caused solely by Golden State’s groundwater extraction.” (WM 2nd Opp., p. 2:12-13
11 [emphasis added]; see also *id.*, 10/9/24 Wagner Decl., Ex. 1.B [Centro Subarea hydrographs]; see
12 also Section III.B.1, *ante*.)

13 **D. Hesperia’s 2nd Opposition**

14 In its first Opposition, Hesperia requested a continuance on the grounds it needed more time
15 to respond to GSWC’s “highly technical evidence.” (Hesperia Opp., p. 6:2.) The Court granted
16 Hesperia’s request and further granted Hesperia the opportunity to amend its opposition **and** to
17 produce new evidence supporting its opposition. It has produced **none**. The only **new** text in
18 Hesperia’s 2nd Opposition (see 10/16/24 Hastings Decl., ¶ 5, Ex. 1 [comparison of oppositions]) does
19 nothing more than join in Watermaster’s arguments (see Hesperia 2nd Opp., p. 4:24-27) and repeat
20 the opinions of Victorville’s expert, Mr. Leffler, but with no attribution to Mr. Leffler whatsoever
21 (compare Hesperia 2nd Opp., p. 4:10-23 to Leffler Decl., ¶¶ 7-9). Hesperia’s other arguments
22 (Hesperia 2nd Opp., pp. 5:1-7:25) were already addressed and disposed of in GSWC’s Reply. (See
23 GSWC Reply, pp. 10:25-12:8.) Accordingly, Hesperia’s 2nd Opposition has wasted both the Court’s
24 and the Parties’ time and resources and should be ignored.


25 **IV. CONCLUSION**

26 For the reasons above, the Oppositions to GSWC’s Motion are without merit. GSWC urges
27 the Court to grant its Motion and issue the proposed Order.
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Dated: October 16, 2024

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

By: 
STEPHANIE OSLER HASTINGS
MATTHEW L. HOFER
MACKENZIE W. CARLSON
Attorneys for Plaintiff
GOLDEN STATE WATER COMPANY

PROOF OF SERVICE

I am over the age of eighteen years and not a party to the within-entitled action. I am employed in Santa Barbara County, California. My business address is Brownstein Hyatt Farber Schreck, LLP, 1021 Anacapa Street, 2nd Floor, Santa Barbara, California 93101-2711. My electronic service address is Meldridge@bhfs.com. On October 16, 2024, I served a copy of the following document(s):

GOLDEN STATE WATER COMPANY'S REPLY TO AMENDED AND SUPPLEMENTAL OPPOSITIONS TO MOTION TO ENFORCE JUDGMENT



BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) listed above to be sent to the persons at the e-mail addresses listed below and the parties listed on the attached service list

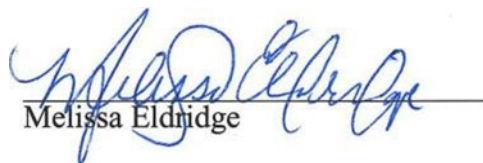
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Mojave Basin Area Watermaster

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on October 16, 2024, at Santa Barbara, California.


Melissa Eldridge

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City of Barstow v. City of Adelanto
Riverside County Superior Court Case No. CIV208568

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PROOF OF SERVICE

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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 October 17, 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:

GOLDEN STATE WATER COMPANY'S REPLY TO AMENDED AND SUPPLEMENTAL OPPOSITIONS TO MOTION TO ENFORCE 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 October 17, 2024 at Apple Valley, California.



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Ehrenberg, AZ 84334-0455

Attn: Lisset Sardeson
Hi Desert Mutual Water Company
23667 Gazana Street
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Hiett, Harry L. (via email)
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Daggett, CA 92327-0272

Attn: Robert W. Bowcock
High Desert Associates, Inc.
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Claremont, CA 91711-4614

Attn: Lori Clifton (lclifton@robar.com)
Hi-Grade Materials Company (via email)
17671 Bear Valley Rd
Hesperia, CA 92345-4902

Attn: Lori Clifton (lclifton@robar.com)
Hi-Grade Materials Company (via email)
17671 Bear Valley Road
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Attn: Frank Hilarides
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Newberry Springs, CA 92365

Attn: Katherine Hill (Khill9@comcast.net)
Hill Family Trust and Hill's Ranch, Inc. (via
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Ashland, OR 97520-

Attn: Anne Roark
Hitchin Lucerne, Inc.
PO Box 965
Lucerne Valley, CA 92356-0749

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P.O. Box 20001
Bakersfield, CA 93390-0001

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Holway Jeffrey R and Patricia Gage (via
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Denver, CO 80202-1348

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1261 S. Lincoln Ave.
Monterey Park, CA 91755-5017

Attn: Paul Hong
Hong, Paul B. and May
P. O. Box #1432
Covina, CA 91722-0432

Attn: Sandra D. Hood
Hood Family Trust
2142 W Paseo Del Mar
San Pedro, CA 90732-4557

Attn: Barry Horton
Horton Family Trust
47716 Fairview Road
Newberry Springs, CA 92365-9258

Attn: Ester Hubbard
Hubbard, Ester and Mizuno, Arlean
47722 Kiloran St.
Newberry Springs, CA 92365-9529

Attn: Paul Johnson
Huerta, Hector
25684 Community Blvd
Barstow, CA 92311-

(hconnie630@gmail.com)
Hunt, Connie (via email)
39392 Burnside Loop
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Attn: Ralph Hunt
Hunt, Ralph M. and Lillian F.
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Mojave Basin Area Watermaster Service List as of October 17, 2024

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Im, Nicholas Nak-Kyun (via email)
23329 Almarosa Ave.
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3224 West 111th Street
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Attn: James Jackson Jr.
Jackson, James N. Jr Revocable Living Trust
1245 S. Arlington Avenue
Los Angeles, CA 90019-3517

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
(gleddream@gmail.com)
Jess Ranch Water Company (via email)
906 Old Ranch Road
Florissant, CO 80816-

Attn: Cynthia Mahoney
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Johnson, Carlean F. Trust Dated 10/29/2004
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Apple Valley, CA 92308-8769

Attn: Paul Johnson
(johnsonfarming@gmail.com)
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
Lucerne Valley, CA 92356-7237

Attn: Paul Jordan
Jordan Family Trust
1650 Silver Saddle Drive
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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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Kasner, Robert (via email)
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Mojave Basin Area Watermaster Service List as of October 17, 2024

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864 Sapphire Court
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Lawrence, William W.
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Lee, Doo Hwan
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Attn: Virginia Janovsky
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Lem, Hoy (via email)
17241 Bullock St.
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Attn: Billy Liang
Liang, Yuan - I and Tzu - Mei Chen
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Chino, CA 91710-3196

Attn: Manshan Gan
Lo, et al.
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Attn: Dean Low (lowgo.dean@gmail.com)
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Lee, et al., Sepoong and Woo Poong
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Hacienda Heights, CA 91745-

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Mojave Basin Area Watermaster Service List as of October 17, 2024

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Manning, Sharon S.
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Attn: Doug Kerns
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21724 Hercules St.
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Chino, CA 91710-3196

Attn: Jodi Howard
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Mojave Basin Area Watermaster Service List as of October 17, 2024

Attn: Jeff Gaastra (jeffgaastra@gmail.com)
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Association (via email)
32935 Dune Road, Space 10
Newberry Springs, CA 92365-

Attn: Mary Ann Norris
Norris Trust, Mary Ann
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Lucerne Valley, CA 92356-8261

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NSSL, Inc. (via email)
9876 Moon River Circle
Fountain Valley, CA 92708-7312

Núñez, Luis Segundo
9154 Golden Seal Court
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Attn: Pearl or Gail Nunn
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Apple Valley, CA 92307-0010

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Barstow, CA 92311-2888

Attn: Dorothy Ohai
Ohai, Reynolds and Dorothy
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Chino, CA 91710-5149

Attn: Craig Maetzold
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Omya California, Inc. (via email)
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Hemet, CA 92545-2246

Attn: Nick Higgs
Oro Grande School District
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Oro Grande, CA 92368-0386

Attn: Taghi Shoraka
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Porter, Timothy M.
34673 Little Dirt Road
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Precision Investments Services, LLC
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Quiros, Fransisco J. and Herrmann, Ronald
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Mojave Basin Area Watermaster Service List as of October 17, 2024

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Attn: Josie Rios
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Attn: Sam Marich
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Big Bear Lake, CA 92315-8915

Attn: Dale W. Ruisch
Ruisch Trust, Dale W. and Nellie H.
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Attn: Jafar Rashid
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S and E 786 Enterprises, LLC (via email)
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Attn: Sara Fortuna (sarajfortuna@gmail.com;
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Saba Family Trust dated July 24, 2018 (via
email)
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Mojave Basin Area Watermaster Service List as of October 17, 2024

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