

1 Derek Hoffman, Bar No. 285784
Email: dhoffman@fennemorelaw.com
2 Darien K. Key, Bar No. 324353
Email: dkey@fennemorelaw.com
3 **FENNEMORE LLP**
550 E. Hospitality Lane, Suite 350
4 San Bernardino, CA 92408
Tel: (909) 890-4499 / Fax: (909) 890-9877
5

6 Attorneys for MITSUBISHI CEMENT
CORPORATION, ROBERTSON'S READY
7 MIX, LTD., and CALPORTLAND COMPANY
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF RIVERSIDE – CENTRAL DISTRICT
11

12 CITY OF BARSTOW, et al.,

13 Plaintiff,

14 v.

15 CITY OF ADELANTO, et al.,

16 Defendant.
17

18 AND RELATED CROSS-ACTIONS.
19

Case No. CIV208568

**MITSUBISHI CEMENT CORPORATION,
ROBERTSON'S READY MIX, LTD. AND
CALPORTLAND COMPANY
OPPOSITION/RESPONSE TO MOJAVE
WATERMASTER MOTION FOR
DETERMINATION OF HYDROLOGIC BASE
PERIOD FOR PRODUCTION SAFE YIELD
CALCULATIONS; SUPPORTING
DECLARATIONS**

Assigned for All Purposes to:
Hon. Craig G. Reimer, Retired
Dept: 1

Date: Oct 20, 2025
Time: 8:30 a.m.
Dept: 1

1 MITSUBISHI CEMENT CORPORATION (“Mitsubishi”), ROBERTSON’S READY
2 MIX, LTD. (“Robertson’s”) and CALPORTLAND COMPANY, (“CalPortland”), by and through
3 their attorneys of record, Fennemore LLP, hereby submit this Opposition/Response to the
4 Watermaster’s Motion for Determination of Hydrologic Base Period for Production Safe Yield
5 Calculations (“Motion”), in the above-captioned matter. These parties reserve the right to
6 supplement this filing in response to further briefing or arguments of other parties, including at the
7 hearing.

8 **I. INTRODUCTION**

9 Mitsubishi, Robertson’s, and CalPortland are each stipulating parties to the Judgment and
10 Physical Solution (“Judgment”) and have been for many years. In recent years, they have
11 successfully defended and supported the Judgment as the operative, long-term management regime
12 for the Basin in response to efforts by others to amend or significantly depart from the Judgment.

13 The Motion seeks to establish the years 2001–2020 as the new hydrologic base period for
14 determining Production Safe Yield (“PSY”) and, by extension, Free Production Allowance
15 (“FPA”). The selection of a base period for the Basin or any Subarea has significant extending
16 effects. It must be considered in determining Production Safe Yield (“PSY”) for each Subarea,
17 which, in turn, influences the Watermaster’s recommendations and the Court’s decision-making
18 relating to annual FPAs. Generally speaking, a higher PSY will result in less Rampdown, while a
19 lower PSY may require reductions in FPA. Importantly, PSY must be determined based upon the
20 best available data and records to support the highest average annual amount of water that can be
21 safely pumped from each Subarea.

22 In short, the base hydrologic period selection is significant and important to parties’ rights
23 under the Stipulated Judgment. Consideration or determination of a new base period has not
24 happened since the entry of the Judgment. Whereas FPA decisions are made annually, and PSY
25 review occurs perhaps every five or ten years, the Court has already observed that determination of
26 a base hydrologic period is foundational and is not re-evaluated regularly. The importance and
27 impact of the base hydrologic period underscores the need for the Watermaster to proceed with a
28 process *at least as robust and transparent* as the annual FPA process, including public hearings,

1 considering stakeholder input, and a public administrative approval of specific recommendations
2 at the Watermaster Board level. In recent years, Watermaster has made several impactful decisions
3 including PSY and FPA recommendations based in part on presumed updates to the base hydrologic
4 period, all while promising release of a forthcoming model that is now more than one year away
5 from some level of completion.

6 The Motion fails to provide sufficient evidence or analysis to support its recommended
7 adjustments to the base hydrologic period for each Subarea. Instead, the Motion appears to be the
8 latest effort to backfill assumptions not yet supported by the forthcoming model and to allow the
9 Watermaster to justify its previous attempts to introduce a new base period in the most recent PSY
10 updates and FPA recommendation cycles.

11 This Court should deny the Motion and require the Watermaster to conduct noticed public
12 hearings, receive stakeholder and technical input, and present a robust analysis of its
13 recommendations through that process.

14 **II. ARGUMENT**

15 **A. Standard of Review**

16 At the August 4, 2025 hearing, the Court acknowledged the merit of the objections raised
17 to any rubber-stamping of a new base hydrologic period. The Court observed that the base
18 hydrologic period is not redetermined annually and might be considered, at most, every 10 or 12
19 years. The Court directed that the selection of a new hydrologic base period should be determined
20 by separate motion “sometime next year” or at least prior to considering next year’s updated PSY
21 or FPA recommendations. (Declaration of Derek Hoffman (“Hoffman Decl.”) ¶ 2, **Exhibit A**, pp.
22 26-36 [August 4, 2025 hearing transcript].) The Court’s directives correctly observe that the base
23 hydrologic period impacts PSY and FPA, and that any decision to modify the base hydrologic
24 period must be brought by a proper and robust motion with supporting evidence.

25 The Motion effectively seeks to modify the hydrologic base period of the Judgment, 1931-
26 1990, which has been used since the entry of the Judgment to inform updates to PSY and other
27 technical aspects of Judgment implementation. (Motion, 3:25-26, 6:8.) The Watermaster serves
28 as an arm of the Court to assist the Court and implement the Judgment. (See *Water Replenishment*

1 *Dist. of S. Cal. v. City of Cerritos* (2012) 202 Cal.App.4th 1063, 1072 [noting that Watermaster
2 “serves as an arm of the court to assist the Court in the administration and enforcement of the
3 provisions of this judgment” (internal quotation marks omitted)]; see also *Dow v. Honey Lake*
4 *Valley Res. Conservation Dist.* (2021) 63 Cal.App.5th 901, 911 [observing that Watermaster is
5 “considered an arm of the Court” (internal quotation marks omitted)].) As the moving party seeking
6 to substantially amend a technical underpinning of the Judgment it is charged to implement, the
7 Watermaster bears the burden of proof to show, with competent evidence and analysis, that its
8 proposed new base hydrologic period meets the Judgment criteria. The Court should review this
9 Motion de novo according to Judgment paragraph 36(d).¹ The Watermaster, is required to use and
10 present the “best available records and data to support implementation of this Judgment.”
11 (Judgment, ¶ 24(w).)

12 **B. Watermaster’s Motion Fails to Both Analyze DWR Bulletin 84 Standards or**
13 **Provide Evidence for Each Criteria**

14 The Watermaster attempts to establish a new base period by reference to the California
15 Department of Water Resources (“DWR”) Bulletin 84 and the definition of PSY in the Judgment.
16 (Motion, 3:5-10.) While these may be the appropriate standards for selecting a new base period,
17 the Watermaster, instead of offering evidence and robust analysis for each criterion of each of these
18 standards, relies on one line of evidence—Mojave River flows at the Forks—to assert that the
19 2001-2020 is an appropriate base period for all Subareas. While it is possible that 2001-2020 may
20 be an appropriate base period for some or all Subareas, the Motion fails to provide sufficient robust
21 analysis and evidence necessary for any party to adequately understand, replicate, or support the
22 Watermaster’s request.

23 Regarding the selection of an appropriate hydrologic “Base Period,” Bulletin No. 84
24 instructs as follows:

25 Base Hydrologic Period
26
27

28 ¹ Notably, the Motion does not identify or specify any particular decision or recommendation
made by the Watermaster for the Court to review. Instead, the Motion presents the new proposed
base hydrologic period without any reference to the underlying administrative process.

1 . . . By analysis of long-time precipitation records, it is possible to
2 select as a “base period” a relatively short and recent period which
3 represents the long-time average water supply.

4 The base period conditions should be reasonably
5 representative of long-time hydrologic conditions and should
6 include both normal and extreme wet and dry years. Both the
7 beginning and the end of the base period should be preceded by a
8 series of wet years or a series of dry years, so that the difference
9 between the amount of water in transit within the zone of aeration at
10 the beginning and end of the base period would be a minimum. The
11 base period should also be within the period of available records and
12 should include recent cultural conditions as an aid for projections
13 under future basin operational studies.

14 (Motion, Exhibit 1 [DWR Bulletin No. 84], pp. 12-13.)

15 The Motion distills this standard into four requirements that must be considered in
16 determining a base period: (1) recent cultural conditions; (2) normal and extreme wet and dry years;
17 (3) the beginning and the end of the base period being preceded by a series of dry years; and (4)
18 relatively short and recent period. (Motion, 3:22-5:18). The Motion’s analysis regarding each of
19 these criteria is both inadequate and unsupported by the best available data and records. The
20 Watermaster fails to provide evidence for three of the four required criteria, does not justify why
21 2001-2020 is appropriate beyond merely stating it is so, and fails to analyze or explain any other
22 range in selecting the proposed base period.

23 Mitsubishi, CalPortland, and Robertson’s technical experts, EKI Environment & Water,
24 Inc. (“EKI”), highlight the technical deficiencies of the Motion. (Declaration of Anona Dutton
25 (“Dutton Decl.”) ¶ 3, **Exhibit B**.) EKI’s analysis demonstrates that the Watermaster’s Motion is
26 unsupported, incomplete, and premature.

27 **1. Recent Cultural Conditions**

28 The Watermaster’s analysis regarding “recent cultural conditions” focuses only on the
“recent” clause by noting that 2001-2020 is more recent than 1931-1990 and thus encompasses
“recent cultural conditions.” (Motion, 4:1-2). But the Motion does not describe the actual recent
cultural conditions for the proposed new base period, the factors that were examined to confirm

1 that such conditions have been adequately analyzed, or to provide any evidence regarding the
2 generically described cultural conditions. (See Motion, 3:23-4:2).

3 “Cultural conditions” considers how water is used within a basin for a particular period of
4 time. Factors generally include patterns of groundwater production, land use, applied water, return
5 flows, and other related aspects during the analyzed base period. The Watermaster’s analysis
6 should describe these elements both in the original base period and in the proposed new base period,
7 and how these changes informed the Watermaster’s selection of the proposed new base period.
8 This would assist the Watermaster “as an aid for projections under future basin operational studies”
9 as Bulletin 84 describes when discussing why cultural conditions should be analyzed. (Motion
10 Exhibit 1 [Bulletin 84], p. 13.)

11 For example, the Motion does not address pumping patterns in any particular respect. EKI’s
12 technical memorandum reflects that Verified Annual Production (“VAP”) has declined basin-wide
13 since 1990, which should at least be analyzed in considering any new base period. (Dutton Decl.,
14 **Exhibit B**, Figure 2). Any significant level of analysis could find a myriad of cultural conditions
15 that would be warranted in base period analysis. The Motion does not offer any such analysis.

16 Land use changes and pumping reductions are key “cultural conditions” under Bulletin 84.
17 Bulletin 84 requires the Watermaster to account for these factors in selecting a new base period.

18 **2. Wet and Dry Years**

19 Preliminarily, the sections of the Motion analyzing Bulletin 84 do not provide a definition
20 for “wet years” or “dry years”, making the analysis difficult to understand or replicate. The Motion
21 could have provided definitions for each and explained how its analysis accounted for these factors,
22 but, unfortunately, that did not occur.

23 Instead, the Motion points exclusively to a single line of information to define a wet year
24 versus a dry year: the Mojave River flows at the Forks. Though certainly relevant, the Motion fails
25 to describe or analyze how this metric accurately represents all Subareas or the entire Basin in
26 determining whether a year is wet or dry from a hydrologic perspective. EKI notes “the Mojave
27 River flow at the Forks represents only one component of the water budget for one subarea – surface
28 water inflow into Alto,” and as such is not a good metric for a basin-wide conclusion as to whether

1 a year was hydrologically wet or dry. (Dutton Decl., **Exhibit B**, p. 4). Based solely on
2 measurement at the Forks, EKI identified multiple candidate periods that might potentially be
3 appropriate base periods based upon the limited analysis provided in the Watermaster’s Motion.
4 (*Id* at p. 2).

5 Relying on a single metric in a limited portion of the Basin to define whether the Basin
6 experienced a wet year or a dry year is not in conformance with the Judgment’s requirement to
7 utilize “best available records and data.” (Judgment, ¶ 24(w).) EKI notes that the Department of
8 Water Resources, in implementing the Sustainable Groundwater Management Act (“SGMA”), has
9 published numerous Best Management Practices (“BMPs”) since the enactment of SGMA that
10 might be considered in conducting new technical analysis for base period selection. (Dutton Decl.,
11 **Exhibit B**, pp. 5-6).

12 In the BMP for Water Budgets, DWR states that when developing a historical water budget
13 for a given basin, managers should “use at least the most recent ten years of water supply reliability
14 and water budget information to describe how the historical conditions concerning **hydrology**,
15 **water demand**, and **surface water supply availability or reliability** have impacted the ability of
16 the local agency to operate the basin,” (*Id.*, emphasis added). While the Mojave Basin is
17 adjudicated and therefore not subject to SGMA (see Cal. Water Code § 10270.8(a)(10)), DWR’s
18 BMP prompts a fair question as to why the additional factors are not considered or explained in
19 tandem with the application of DWR Bulletin 84 criteria.

20 The Motion offers no rationale for selecting 2001–2020 instead of, for example, 1998–2022,
21 which also contains normal and extreme wet and dry years, a series of dry years to precede the
22 beginning and end of the period, and it is relatively short, based solely on measurements at the
23 Forks. (Dutton Decl., **Exhibit B**, p. 2) The Watermaster should have provided an analysis
24 explaining why its chosen base period is the best supported by available records and data, rather
25 than merely stating that it roughly conforms to the Bulletin 84 standard for wet and dry years based
26 on a single metric.

27 **3. Relatively Short and Recent Period**

28 The Watermaster’s characterization that 2001-2020 is a relatively short and recent period is

1 conclusory and not explained. (Motion 4:19-4:23). The selection of a base period should include
2 analysis of the factors considered, as well as potential impact on basin management.

3 This Opposition does not mean to suggest that the Watermaster should analyze every
4 possible base period permutation or that every piece of data ever collected by the Watermaster must
5 be considered here. The Watermaster, however, should analyze more than one potential base period
6 and then provide support (via data and records) for why the selected period is most supported
7 according to each of the relevant criteria.

8 **C. The Motion Fails to Analyze and Provide Evidence for PSY Elements as**
9 **Defined in the Judgment.**

10 The Motion recognizes the inherent interplay between the base period selection and PSY.
11 As cited in the Motion at page 5, the Judgment defines “Production Safe Yield” as follows:

12 The highest average Annual Amount of water that can be produced
13 from a Subarea: (1) over a sequence of years that is representative
14 of long-term average annual natural water supply to the Subarea (2)
15 of long-term average annual natural outflow from the Subarea (3)
16 under given patterns of Production, applied water, return flows and
17 Consumptive Use, and (3) without resulting in a long-term net
18 reduction of groundwater in storage in the Subarea.

19 (Judgment ¶ 4, subdivision “aa”.)

20 The Watermaster’s support for the first two prongs is its recitation to Bulletin 84. (Motion,
21 5:25-26). As explained above, the Motion does not address the elements set forth in PSY
22 definition. The Motion acknowledges that “cultural conditions” must include information
23 regarding “patterns of Production, applied water, return flows, and Consumptive Use,” but then
24 fails to identify such information in the form of evidence, analysis, or even a cursory discussion.
25 (Motion 5:27-6:1). The Watermaster’s argument appears to be that patterns of Production, applied
26 water, return flows, and Consumptive Use exist in its proposed base period, and as such, by merely
27 existing in the base period, this element is satisfied.

28 The Motion does not address how some of these are defined terms in the Judgment
(Consumptive Use and Production), and what, particularly, should be considered when updating
PSY. For purposes of ascertaining a base period for future PSY these items have not been
explained or analyzed by the Motion in any material respect.

III. CONCLUSION

The undersigned parties recognize that the Court has expressed an interest in considering an updated base hydrologic period for each Subarea in the Mojave Basin. The undersigned parties also appreciate the Court’s recognition that the selection of the base hydrologic period is important and has significant impacts on PSY and, ultimately, FPA. The Watermaster is an arm of the Court and is charged with responsibilities to implement the Judgment. The Motion seeks to change a foundational element of the Judgment that has been in place for decades. Unfortunately, the Motion is presented in cursory and perhaps rushed form, without adequate analysis or evidentiary support.

The Watermaster’s Motion should assist the Court in making informed decisions for the Basin, not create further confusion. While the Motion implies that the outcome of this decision *might* be temporary until the Watermaster completes and calibrates the Regional Mojave River Basin Model, the Watermaster recently indicated that completion of the model is now potentially *years* away. (Hoffman Decl., **Exhibit A**, 16:18-19 [[Mr. Wagner:] “So ultimately that process I just described can take 18 to 30 months”].) Notwithstanding that significant and surprising delay—and many parties’ strongly-expressed interest in what the model assumptions and results will show—the Motion nonetheless asks this Court to “adopt the 2001-2020 hydrologic base period for *future Production Safe Yield calculations*.” (Motion, 6:18-24, emphasis added.) At the current rate of model development, that is roughly 2-3 FPA cycles. The science and modeling, and robust stakeholder engagement, should *precede* decision-making for something as important as updating the hydrologic base period.

Mitsubishi, CalPortland, and Robertson’s respectfully request the Court to deny the Motion and direct the Watermaster to conduct noticed public hearings, receive stakeholder and technical input, and present a robust analysis of its recommendations of a proposed new base period for all Subareas, through that process. The undersigned parties have repeatedly requested that the Watermaster convene a technical forum, such as a technical advisory committee, to engage and discuss these and similar issues prior to seeking judicial determinations. We reiterate that request.

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Dated: October 7, 2025

FENNEMORE LLP

By: 
Derek R. Hoffman
Attorneys for MITSUBISHI CEMENT
CORPORATION, ROBERTSON'S READY
MIX, LTD., and CALPORTLAND
COMPANY

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EXHIBIT A

SUPERIOR COURT- STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

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DEPARTMENT 1

HONORABLE CRAIG RIEMER JUDGE

CITY OF BARSTOW, et al.,

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Plaintiff,

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-vs-

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Superior Court

Case No. CIV208568

CITY OF ADELANTO, et al,

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Defendant.

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RELATED CROSS-ACTIONS

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

Monday, August 4, 2025

REPORTED BY:

MARIANNE REID, CSR 11053

Official Reporter Pro Tempore

1 APPEARANCES:

2 FOR PLAINTIFF NEWBERRY
3 SPRINGS:DIANA J. CARLONI
BY: DIANA CARLONI, ESQ
21001 N. Tatum Blvd., Suite
1630-455
Phoenix, AZ 85050
Telephone: (760) 946-9910
Diana@carlonilaw.com5 FOR
6 DEFENDANT/CROSS-COMPLAINANT
7 MOJAVE WATER AGENCY:BRUNICK, McELHANEY & KENNEDY PLC
BY: LEILAND MCELHANEY, ESQ
1839 Commercenter West
P.O. Box 13130
San Bernardino, California
92423-3130
Telephone: (909) 889-83019 FOR MITSUBISHI AND ROBERTSON'S
10 READY MIX:FENNEMORE
BY: DEREK HOFFMAN, ESQ
550 E Hospitality Ln, Suite 350,
San Bernardino, CA 92408
T: 559.446.3224
Dhoffman@fennemorelaw.com

1 MONDAY, AUGUST 4, 2025; AFTERNOON SESSION

2 BEFORE THE HONORABLE CRAIG REIMER

3 --o0o--

4 THE COURT: Counsel, ladies and gentlemen, welcome
5 to Department 1 this afternoon. My name is Craig Reimer,
6 retired judge of the Riverside Superior Court sitting by
7 assignment to the chief justice in the case of Barstow
8 versus Adelanto, Case No. CIV208568.

9 MR. McElhaney has requested that this hearing be
10 reported, so Ms. Marianne Reid will be the reporter pro tem
11 for purposes of this particular hearing.

12 We only have four seats at counsel table. How many
13 counsel expect to be speaking -- those of you who are
14 appearing in person, how many are expecting to be addressing
15 the Court? There's three and the Watermaster's engineer
16 would make that an even four. So the four of you come
17 forward and have seats at counsel table.

18 This is a hearing on the motion by Watermaster for
19 both approval of reduction safety calculations, and for the
20 annual adjustments of free production allowances for each of
21 the five subareas within the Mojave River Basin. The Court
22 issued a tentative ruling proposing to grant that motion in
23 part and to do something slightly different in part. So
24 it's hard to say exactly whose ox has been gored the most,
25 but I'll start with Mr. McElhaney.

26 MR. MC ELHANEY: Good afternoon, your Honor,

1 Leland McElhaney for the Mohave Water Agency. Also with us
2 today is Mr. Bob Wagner, Watermaster engineer and
3 Dr. Kapo Coulibaly also with the Mojave Water Agency.

4 THE COURT: Thank you. And as long as we're in
5 vein of introductions and appearances, why don't we go down
6 the table here.

7 MS. CARLONI: Diana Carloni on behalf of Newberry
8 Springs Recreational Lakes Association.

9 THE COURT: Thank you.

10 MR. HOFFMAN: Good afternoon, Derek Hoffman of
11 Fennemore on behalf of Mitsubishi Cement Corporation and
12 Robertson's Redimix.

13 THE COURT: And your name again.

14 MR. HOFFMAN: Derek Hoffman.

15 THE COURT: Thank you, Mr. Hoffman.

16 And as others speak, either online or perhaps
17 someone in the audience here, who, as the hearing goes on,
18 decides they need to address the Court, we'll take those
19 additional appearances as necessary.

20 So Mr. McElhaney, do you wish to respond to the
21 Court's tentative?

22 MR. MC ELHANEY: We have reviewed the Court's
23 tentative very thoroughly. I have nothing further to
24 respond in connection with it. We stand ready to answer any
25 questions that your Honor may have or to respond to any
26 argument that may be made by other counsel.

1 THE COURT: Thank you. Ms. Carloni?

2 MS. CARLONI: Oh, yes. Good afternoon again. Yes,
3 on behalf of Newberry Springs, we are in the Baja subarea
4 and appear to be the only area subject to ramp down present
5 or according to the tentative. We would like the Court to
6 revisit that issue because we agree with the Watermaster's
7 recommendation to leave Baja at 19.5 percent.

8 The reason that we are requesting it is as follows:
9 We do agree with the Watermaster engineer's declaration,
10 pages 42 and 43 of the motion that there is a pretty
11 significant rise in the majority of the wells or many of the
12 wells, I believe was the word, the Watermaster used in the
13 Baja subarea.

14 We noted in the exhibit the wells that have risen
15 are on one side of the Calico Fault, and that it does take
16 time for water to get to the other side of the Calico Fault
17 where some of the wells have not shown as much recovery.
18 This dramatic increase in the wells that have shown
19 additional water has been described by the well owners as
20 occurring three times faster than when the wells originally
21 started being reduced in their water levels. Secondly --

22 THE COURT: I'm sorry. So you're saying that the
23 water levels are rising?

24 MS. CARLONI: Dramatically.

25 THE COURT: Triple the rate by which they were
26 previously falling?

1 MS. CARLONI: That's correct. And that is
2 according to the well owners. I don't have anything
3 independent to support that, but that is according to the
4 well owners, one of who is present today if you would like
5 to speak to him.

6 We also agree with the Watermaster that it will
7 take time for the water to get to those wells on the other
8 side of the Calico Fault. Now, when I look at the
9 Watermaster's declaration at pages 42 and 43, the entry,
10 Mr. Wagner does state that abatement, or I'll call it, the
11 beginning of the recovery, really occurred back in the
12 2019/2020 area time period and also the pumping has been
13 dramatically reduced in the area. And I would note that
14 there's a trend in the past three years -- I've been arguing
15 and attending these motions for six years. In the past
16 three years, there's been recommendations of the Watermaster
17 to maintain Baja at a particular level that it recommended,
18 and there's been a reduction by the Court based upon what
19 the Court felt was insufficient information.

20 The reason I would like the Court to revisit the
21 declaration and the numbers is, I believe, given the
22 information that is now present, we see a significant trend
23 that Baja is recovering. It should maintain its 19.5
24 percent pending the final iteration of the -- I always get
25 this wrong -- the Mojave Basin Regional Model, MBRM, and
26 maintain its level just like every other area in this motion

1 that all recommendation should be maintained for the single
2 water year. We think, based upon the Watermaster engineer's
3 statements, that that will solidify what he finds to be
4 true. And Baja, especially Newberry and all of its water
5 usage in Baja, have taken very significant steps to meet the
6 requirements of getting this part of the basin in balance.

7 Of course, the most important issue is the fact
8 that we need to see what is flowing out of transition to
9 Centro to Baja, and we anticipate that that will be resolved
10 sufficiently with information from the new model that is
11 being studied.

12 Water, of course, is never going to be a flat
13 analytical calculation. Water, we can't predict always what
14 it is going to do, but I think there has been significant
15 evidence given in the Watermaster engineer's declaration and
16 the exhibits to demonstrate. Plus, looking at the transfer
17 of the last three years, when they have recommended no
18 change in the numbers that we are seeing or that we have
19 enough to maintain the current 19.5 percent for at least one
20 more year.

21 So we would ask the Court to revisit that before
22 issuing its final order. We understand the Court's need for
23 information. I noted in the tentative that the words used
24 in the tentative were that many of the wells have not
25 recovered. I think in the Watermaster's declaration, I saw
26 many of the wells had recovered or were showing significant

1 increases and some of them had not recovered. And from that
2 exhibit, we located those wells, as I said, on the other
3 side of the Calico Fault.

4 And I would ask Mr. Wagner to address that if he
5 could to support his recommendation because we do believe
6 that recommendation is fairest for the people in Baja.

7 THE COURT: Thank you. On that point, let me
8 see -- there may be someone, in addition to the Watermaster,
9 that is supporting that position, Ms. Carloni.

10 Who is appearing for the Department of Fish and
11 Wildlife today? Mr. Johnson indicated that he's simply
12 observing. Who is counsel appearing for DFW?

13 MR. GOLDEN-KRASNER: Good afternoon, your Honor,
14 Noah Golden-Krasner on behalf of DFW.

15 THE COURT: Thank you, Mr. Golden-Krasner.

16 MR. GOLDEN-KRASNER: Your Honor, I saw your
17 question in the tentative and I also heard Ms. Carloni's
18 discussion. To this point, we've lost a lot of
19 (undecipherable) and Camp Katie and other parts of the
20 basin, and the -- that's why Baja has been ramped down
21 80 percent. The reason why we were supportive of the
22 Watermaster keeping the current 19.5 percent is that, first
23 of all, like Ms. Carloni, we would like to see the model,
24 and we're hoping that the model can shed some light on where
25 these deficits are coming from that cause so much harm to
26 Baja and to the wildlife and the vegetation in Baja.

1 Secondly, even though these motions separate out
2 each subbasin, I make recommendations based on each
3 subbasin. This is one basin and there's a connection
4 between most or all of the subbasins, and Baja happens to be
5 at the bottom of the basin, and it's greatly affected by
6 what happens in Alto and Centro.

7 And what we've seen, based on our calculations, is
8 that Baja is receiving about 50 percent less surface water
9 now than it did at the beginning of the judgment, and we
10 really need to see where that deficit is coming from, why
11 that deficit is occurring, and just ramping down Baja
12 further is not, we feel, the best solution for that type of
13 an issue.

14 The problem is that Baja is receiving less from
15 Alto and Centro because of the lower water levels in those
16 particular subbasins, and we feel the solution to the
17 problem is not necessarily to ramp down Baja further but to
18 figure out how to get more of that surface water into Baja,
19 and that's the reason why we support keeping things the way
20 they are until we can figure out, hopefully, from the new
21 model where that deficit is coming from, why that deficit is
22 occurring, and why Baja is receiving so much less surface
23 water than it has in the past.

24 THE COURT: Thank you. So turning to you,
25 Mr. Wagner, the Court had identified, I think, nine
26 different well sites that were continuing to drop in

1 Exhibit 11 to your motion. And I did not review the maps
2 that would tell me the geographical area that those nine
3 wells were in. Do you agree with Ms. Carloni that, one,
4 there's a significance to the location of the Calico Fault.
5 And, two, that the wells that continue to show a drop are on
6 one side of the Calico Fault and wells that have experienced
7 improved water levels are on the other side of the Calico
8 Fault.

9 MR. WAGNER: Good afternoon, your Honor. Robert
10 Wagner, Watermaster engineer. That's a good question.
11 Calico Fault has a lot of significance and part of the
12 judgment calls out the Calico Fault for how we treat pumping
13 and recharge in Baja that we prioritize recharge in such a
14 way when there will be artificial recharge that we don't
15 exacerbate problems down gradient, so east or north of the
16 Calico Fault, in favor of upgrading or where they are more
17 productive. So it's not surprising that we see different
18 response in the wells on either side of the Calico Fault.

19 Some of the wells on the downgrading side are
20 recovering. Many of the wells in Baja, not all of them, but
21 most of them, appear to have reached some kind of inflection
22 where they're not precipitously falling like they have since
23 the 1930's or 40's. If we look at the really old
24 hydrographs, we see a sharp decline in the last ten years or
25 so that slow change is somewhat many of the wells not most
26 of them. Some of them still falling a little bit, some of

1 them have flattened out, some of them have risen, and this
2 with the reduction and pumping that has occurred --

3 THE COURT: Hold it right there. Ladies and
4 gentlemen who are appearing by telephone, some of you are
5 having conversations in the background which are amplified
6 very loudly in the courtroom, and it's making it difficult
7 for me to hear Mr. Wagner clearly. So if you would mute
8 your microphones please until such time as you want to
9 address the Court, that would be very helpful.

10 Go ahead, Mr. Wagner.

11 MR. WAGNER: So the indication when we look at the
12 behavior, the water levels, through the inspection of
13 hydrographs and also the change in pumping, the indication
14 is that the basin is starting to recover and in some
15 areas actually is recovering. There's never going to be the
16 circumstance where everything behaves the same way at the
17 same time always. The groundwater basins don't work that
18 way. And some of the data we have is also influenced by
19 pumping. So all of these things have to be taken into
20 account. But the most significant thing to me is how much
21 reduced pumping there is even in the last 15 years.

22 So when we come up with a number that would
23 represent the yield of the system under some conditions, we
24 have to not look well into the past, but in what we're
25 seeing right now, the last couple of years, and into the
26 next few years.

1 With that lens, if we go back to, I think,
2 Ms. Carloni said 2019/2020, the producers have told us
3 anecdotally the same thing that she reported that wells are
4 recovering or haven't changed in a long time.

5 If we go back to say 2017, 2018, 2019, we start to
6 see this inflection and pumping was considerably higher
7 than, even five years ago, than it is now. So the actual
8 yield under most conditions that we see in the basin is
9 probably in that range of 12,749, I think, was 2021, '22,
10 and maybe as high as 18,000 as the pumping was four or
11 five years ago.

12 So I'm not sure I answered specifically the
13 question you asked me, but how we get to relating the change
14 in pumping to the change of water levels, that's the process
15 that we went through to come up with that.

16 THE COURT: Would you agree with Ms. Carloni that
17 the bulk of the monitoring wells that -- or the wells at all
18 that are stable or improving are on one side of the fault
19 and the bulk, perhaps not 100 percent, but the bulk of those
20 which are continuing to drop are on the other, and I assume,
21 downstream side of the fault.

22 MR. WAGNER: I think that the answer to that
23 question seems no if you count them all, and no sitting here
24 I don't know. I think most of them are showing a recovery
25 or at least a change in slope. I think the down gradient
26 wells are probably fewer of those are showing recovery than

1 the ones on the up-gradient side.

2 THE COURT: When you refer to the change in slope,
3 you're talking about looking at the graphical representation
4 of the level in wells that it is starting to flatten out or
5 has flattened out as opposed to the downward slope that
6 receded it. Do I have that correct?

7 MR. WAGNER: That's correct.

8 THE COURT: So in the Court's mind, if one were to
9 chart the changes in FPA for Baja, you would see the same
10 inflection point, 5 percent reduction, 5 percent reduction,
11 5 percent reduction, one percent reduction, half a percent
12 reduction. And as a layperson, I would think, well, that
13 matches what Mr. Wagner is telling me that the water levels
14 in Baja are not diminishing at nearly the rate they were
15 recently and may have flattened out across the board.

16 So if I understand your position, it's that --
17 although it may not reflect in all of the wells, the
18 increases that are present are enough to show that the
19 subarea, as a whole, has either reached equilibrium or is on
20 the verge of doing so. Is that a fair characterization of
21 your testimony?

22 MR. WAGNER: Yes. The last part -- I want to
23 address what you said about relating the inflection and the
24 water levels to preproduction allowance. I think it's
25 actually the reduction of pumping is the reason that the
26 water level we're seeing inflection.

1 THE COURT: Sure. Whatever the cause is.

2 MR. WAGNER: Right. The free production may been
3 be responsible for the reduction of pumping, but the water
4 level changes not related to the free production, it's
5 related to pumping.

6 THE COURT: Right. Let me ask a broader question
7 to the entire audience and online. As I noted in the
8 tentative, the Watermaster had proposed to leave the FPA for
9 Baja at 19.5 and that no one had opposed that recommendation
10 and the Court was resisting that recommendation purely on
11 its own motion. Is there anyone who feels that the FPA for
12 Baja should be reduced in some amount this year? A
13 resounding silence. All right.

14 Ms. Carloni, your clients will have the benefit of
15 the same FPA as last and we'll see what the model produces
16 and what recommendations flow as a result of that.

17 As the Court indicated some years back, however,
18 all parties should recognize what my attitude towards these
19 productions is and that is I tend to be aggressive in
20 reducing FPA and conservative in increasing FPA. So the
21 fact that I'm saying let's level it off for a year and see
22 what happens does not mean it will start creeping up any
23 time soon.

24 MS. CARLONI: That is fully understood, your Honor,
25 and we are waiting for the modeling and the results because
26 we understand the Court's always looking for valid

1 information to substantiate his ruling. And so we
2 understand it's for this year only, and we will wait to see
3 what happens upon receiving the model.

4 THE COURT: Which brings us to the issue of when we
5 are going to receive the model. According to -- I didn't
6 have a citation for it -- but according to my last year's
7 order, we expected the model to be done by this year. And
8 as I quote in my tentative, the model is being currently
9 finalized and there is hope that the model will be done in
10 time for what is phrased as the next Watermaster cycle for
11 determining PSY in Alto, Centro, Oeste, and Baja.

12 So I'm confused by that, Mr. Wagner, because it
13 seems like in order to evaluate PSY, that process will start
14 months before our annual hearing in June or July.

15 So let me break the question down in two parts
16 here: When do you expect the model to be sufficiently
17 complete to give it over to someone to pay the check, and
18 more broadly, whatever date that is, do you expect to use
19 this for PSY calculations and FPA recommendations for the
20 year '26, '27?

21 MR. WAGNER: I'm o for two on that question.

22 THE COURT: I realize you can't give me absolute
23 commitments, but what do you expect?

24 MR. WAGNER: Right. I think the model is
25 complicated, and I think everybody recognized that. And the
26 more work is done on it, the more we do, the more we learn,

1 the more complicated it gets. So the status of it at the
2 moment is being finalized is probably good. But when
3 there's still a lot to go into it, it still needs to be
4 calibrated. This is related somewhat to the availability of
5 resources to do that on the water agency it's the model of
6 the agency and not the watermaster. I would hope -- not
7 expect, but I would hope that we could have a calibrated
8 model and model runs by this time next year, but this is not
9 something that given my past performances, I'm not willing
10 to say that we will.

11 We will have a functional model and something that
12 we can do calculations with before the period review process
13 is finished, and the model will be put together, report
14 made, and it will go out for peer-review, which will be done
15 through an RFP process, independent reviewer, and then
16 recommendations and comments will be incorporated into the
17 model if necessary and it will be improved.

18 So ultimately that process I just described can
19 take 18 to 30 months. It's possible that we can have
20 model-producing calculations within a year, but I don't know
21 that.

22 THE COURT: So if that ambitious goal is not met,
23 you're not using it within a year, what would you expect
24 next year's numbers to be calculated on the basis of? Would
25 it be, we're going to use the model even though it's not
26 peer-reviewed yet because it's the best information that we

1 have, or is it going to be we'll use our old model until the
2 new one passes muster. What can we expect?

3 MR. WAGNER: I think the second statement we will
4 use the upper basin model until the regional model is
5 complete. That's certainly a tool that's available. The
6 expected changes to that information we would have that
7 would then produce a different result than we have right
8 now, which is, we all know, is somewhat incomplete isn't
9 really going to be related so much to water supplies because
10 it's set by the time period that we picked but changes in
11 land use and we don't see land use changes -- we don't see
12 large significant land use changes in short periods of time
13 with one exception, of course, of what we've seen in the
14 last ten years in Baja, but that's mostly agricultural
15 production reaching a threshold where it's not productive to
16 continue to pump water at the preproduction allowances that
17 are set.

18 So we don't expect to see a lot of changes from the
19 supply side, and we don't expect to see a lot of changes
20 from the consumptive use side. Because of that, we're going
21 to have -- and certainly evaluate that every year -- the
22 values are going to be similar to where they were last year
23 and where they are this year until we have new information
24 or better information.

25 THE COURT: All right. So to summarize that, we
26 will not be relying on the new model for the calculations

1 for 2026/2027?

2 MR. WAGNER: It's not likely.

3 THE COURT: All right. So let me turn to counsel
4 for Golden State and that is -- well, just jump out and tell
5 me.

6 MS. HASTINGS: Stephanie Hastings on behalf of
7 Golden State. Good afternoon.

8 THE COURT: Good afternoon, Ms. Hastings. You had
9 moved for certain relief. The Court had made an order based
10 on that. And in light of, it seems to me, the possibility
11 at least that the new model was going to be ready by next
12 year, you said that we will withdraw our objections or our
13 or the compliance deadlines that the Court previously made
14 until next year to see what the model shows. Now we hear
15 it's unlikely the model will be completed in time for next
16 year, what is your position?

17 MS. HASTINGS: Thank you, your Honor. It's a good
18 question. And I am, frankly, just processing that now. As
19 you can imagine, Golden State is fully supportive of
20 completion of the regional model. And while we did hope
21 that it would be available for the 2026 process, it appears
22 now that we will be waiting at least an additional year for
23 that. We were prepared to accept the Court's tentative
24 today.

25 I do have one procedural clarification with respect
26 to the separate motion on approval of the PSY. Maybe while

1 I think through how to manage this, maybe let me offer that
2 one first.

3 There seems to be some confusion in the papers
4 about whether Golden State's opposition to the motion for
5 hearing today is an opposition to the Watermaster's request
6 for approval of the preproduction allowance alone. And as
7 the Court knows from its October 2024 order at page 4, this
8 is paragraph 4 on that page, Watermaster submitted for
9 today's hearing two separate motions: One, for approval of
10 the preproduction allowance, and one for approval of the
11 PSY.

12 We were pleased to see that the Court's tentative
13 makes clear that while it's approving the PSY as offered by
14 Watermaster today for this year, that is for this year only
15 and that Watermaster's order to make a new motion separately
16 from his motion for preproduction allowance approval on PSY
17 for next year.

18 With that, your Honor, I would expect that we may
19 see much the same of Watermaster's motion for next year and
20 of course the Court's October 2024 order requires additional
21 activities to be undertaken by Watermaster for next year as
22 well. So I am somewhat at a loss. Is Watermaster
23 requesting a year extension on the October 2024 order
24 requirements?

25 As you know, our position has been that a
26 recalculation did not occur this year, so seeing that the

1 entire schedule has now flipped a year.

2 THE COURT: Mr. McElhaney, to the extent that the
3 Court ordered certain things to be done by next year, is the
4 Watermaster content to keep with that deadline or is the
5 Watermaster asking to extend that deadline to the following
6 year?

7 MR. MC ELHANEY: At present, we're content to
8 achieve that deadline, your Honor, meet that deadline.

9 THE COURT: Thank you. Were you able to hear that,
10 Ms. Hastings?

11 MS. HASTINGS: I was, your Honor. Well, as is made
12 clear from your order, Golden State reserves the right to
13 bring an objection to the request for approval of the PSY in
14 2026. So other than that, I have no further comment, your
15 Honor.

16 THE COURT: Very well. Let's turn to Mr. Hoffman.

17 MR. HOFFMAN: Thank you. Derek Hoffman for
18 Mitsubishi and Robertson's, and I'll attempt to be brief
19 this afternoon, your Honor. Thank you for your tentative.
20 Very thoughtful. Appreciate the energy and attention that
21 the Court gave to preparing the tentative.

22 I have two high level comments today. One
23 regarding process, and then one more specific to Este. With
24 respect to process, I do appreciate the Court clarifying and
25 confirming that the Court's review is de novo. Appreciate
26 that clarification in the tentative. I would, perhaps,

1 debate the characterization of the process in the reply
2 brief, but out of respect for the Court's time today, I
3 won't belabor that issue. I would, however, ask the Court
4 to consider directing the Watermaster to make all FPA and
5 PSY recommendations only at a public hearing on 30 days
6 notice and nothing shorter.

7 With respect to Este, and the ramp-down
8 recommendation that have been made, I would like to offer
9 some context for the Court to consider. The first is, if
10 one pursues this as a math equation -- and I do understand
11 the Court's inclinations on this issue -- I recognize that
12 the watermaster may feel constrained to make a
13 recommendation based on what I'll call "the math equation."
14 I do, however, believe the judgment allows the Court to
15 consider more of a factor's-based approach, again,
16 consistent with the terms in the judgment, Appendix C which
17 also refers to Appendix H.

18 With respect to Este, note that in the record, the
19 Watermaster acknowledges there are significant data gaps,
20 specifically with respect to Este, and you will find this in
21 Mr. Wagner's declaration on page 1; you'll find it at page
22 2; you'll find it at page 47.

23 There are other instances where that is made clear.
24 Information regarding recharge and unauthorized pumping,
25 pumping patterns, those factors seem to be lacking data as
26 reflected in the declaration. Why does this matter?

1 Because PSY is a major component in the so-called math
2 equation. If you look at the definition of PSY, which all
3 the parties are familiar, there are various elements,
4 patterns of production, applied water, return flows,
5 consumptive use, all of which must not cause a long-term net
6 reduction of groundwater and storage.

7 So I highlight these points to simply highlight the
8 fact that there are factors that ought to be considered in
9 making the ultimate decision, and, of course, it is the
10 Court's final decision.

11 With respect to the modeling tool, there's been a
12 lot of interest expressed today in the modeling tool. And,
13 again, with respect to Este, it does not appear that the
14 Watermaster is on a path to apply the model in Este, or at
15 least it's not clear to me, so I refer to Mr. Wagner's
16 declaration on page 2 refers to water levels and pumping
17 patterns being used to establish PSY. I also refer to
18 Mr. Wagner's declaration at page 22, indicating Este water
19 levels over long period of time suggest there's little loss
20 of storage, but not as much detail as there is for the other
21 subareas, and I would also refer the Court to page 32 in
22 that declaration indicating that for the next watermaster
23 cycle, the model will be used for Alto, Centro, Oeste, and
24 Baja, but no references made for Este. So it doesn't garner
25 a lot of confidence, at least in my perspective, that the
26 model will be useful for Este. I would hope it would be.

1 But for that reason, I would ask the Court to consider
2 directing the Watermaster to have public workshops, have
3 opportunities for the public and stakeholders to engage on
4 the model development process, the inputs and outputs and do
5 that along the way rather than waiting until the so-called
6 cake is baked, and we're also being confronted with
7 recommendations based on a model at some point.

8 So with those comments, your Honor, I will
9 conclude. And if the Court might consider staying that
10 Este, of course I appreciate that, but I also recognize
11 there's work to be done ahead. Thank you.

12 THE COURT: Thank you, Mr. Hoffman. How do you in
13 making those requests how do you meet the objections raised
14 by DFW by a joinder filed either last Friday or this morning
15 by City of Hesperia and objections from the Watermaster
16 itself that these matters need to be the subject of their
17 affirmative relief that needs to be sought in a motion that
18 the parties can thoughtfully respond to with normal briefing
19 schedules.

20 MR. HOFFMAN: I think that's a fair comment, your
21 Honor, and at the same time I think there's a basis in the
22 judgment to require 30-day notice for a decision on FPA. I
23 also think the Watermaster has discretion to hold public
24 workshops to engage on its decision-making process, and I
25 believe the Court could order that today if it so choose on
26 its own motion.

1 I candidly say, I don't know that I have a strong
2 position on the filings of those other parties. I was more
3 focused on Este issues, so I apologize but I don't have a
4 great answer to that question today.

5 THE COURT: Thank you. Let's take this one step at
6 a time. To the extent that the Court issued a tentative
7 ruling concerning the FPA for the water year '25, '26 and to
8 the extent that I modified that as to the FPA for Baja to
9 eliminate the .5 percent reduction in FPA.

10 Is there anyone who wishes to be heard on the issue
11 of the free production allowance for any of the subareas?
12 Very well.

13 The Court's ruling will be as indicated in the
14 tentative with the modification concerning Baja. The Court
15 will prepare a formal order regarding that.

16 Turning then to the issue of the PSY calculations.
17 The Court's tentative is basically what the Court indicated.
18 And while I expressed doubts that we would have the benefit
19 of the new model in time for next year's motion, I propose
20 to see where we stand at that point in time. And if there
21 are parties, such as Mr. Hoffman's clients, Mitsubishi and
22 Robertson's Redimix, who wish to press that point in terms
23 of making sure there's all the public input that is
24 reasonable and to make sure that the peer-review process
25 includes some interested parties as well as the third party
26 reviewer that Mr. Wagner described to leave that open to

1 those parties to bring an appropriate motion seeking that
2 affirmative relief.

3 It may be in the Court's mind that given the
4 expectation that the model probably won't be ready by this
5 time next year, it may be that Mr. Hoffman will want to wait
6 awhile and see how that develops. On the other hand, he may
7 want to get an order in place sooner rather than later so
8 that whatever relief he's granted is sort of worked into the
9 calendar for the ultimate production of the calibrated
10 model.

11 So is there anyone else who has any comments
12 regarding -- well, I should back up and say -- Mr. Hoffman,
13 I appreciate your candor; the Court feels that both issues
14 that you phrased in terms of process and in terms of the
15 participation and peer-review and in terms of the public
16 notices and public hearing on 30-days notice regarding
17 recommendation that both of those objections and both of
18 those requests for affirmative relief are denied without
19 prejudice to that being raised by a separate motion.

20 So with that clarification, is there anyone else
21 that wishes to be heard regarding the issue of production
22 safe yield or PSY?

23 Well, I expected this hearing to go a lot longer
24 than an hour, so thank you for that. So basically the
25 Court's tentative is going to be as to both matters. It is
26 going to be the ruling of the Court with the exception of

1 the change in Baja's FPA.

2 There is the issue of the base period and changing
3 that from 1931, excuse me, from 1931 to 1990 to 2001 to
4 2020. And I indicated that if that was, if that was the
5 desire that a motion perhaps at this point next year's
6 motion should address that, but perhaps I'm being too picky
7 regarding that.

8 Is there anyone who either online or present here
9 thinks that it's unnecessary to have a motion that expressly
10 asks for the substitution of that hydrologic base period and
11 they're satisfied that going forward the arguments and
12 calculations can be based on the 2001 to 2020 period without
13 rehashing that issue next year or sometime between now and
14 next year. Anyone?

15 MR. HOFFMAN: Your Honor, Derek Hoffman, if I may.

16 THE COURT: Go ahead.

17 MR. HOFFMAN: I'm attempting to reask the question
18 in realtime. One thing to consider is to the extent that
19 that issue is included in a PSY recommendation, that is
20 being incorporated in any motion to approve PSY the next
21 time it's presented for a change or approval by the Court.

22 THE COURT: That's exactly why the Court raised it
23 now because it occurred to me the same thing as what you're
24 intimating, and that is that by using that as the basis for
25 PSY calculations of which approval is being sought, one is
26 implicitly, although not explicitly, asking for approval of

1 the substitution of the base periods.

2 So while my initial reaction was that should be
3 stated expressly so everybody knows that's on the table,
4 perhaps, as I said, I'm being overly picky on that and given
5 that it is -- that it's implicit in the calculations, maybe
6 we can decide today that the base period is substituted and
7 is now 2001 to 2020 and we don't have to go through those
8 calculations again as in the opening five pages of the
9 Watermaster's motion next year.

10 MR. HOFFMAN: I would follow on to say I think I
11 echo the Court's comments in the sense that it is a
12 component part of PSY. It is one of a number of factors I
13 think ought to be carefully considered and balanced with one
14 another. And so I guess for my clients, I would like to
15 reserve the opportunity to address that issue in the broader
16 context of any broader PSY motion.

17 THE COURT: All right.

18 MR. MC ELHANEY: Your Honor, excuse me, your Honor.

19 THE COURT: Mr. McElhaney?

20 MR. MC ELHANEY: Yes, I'm prepared to address that,
21 and it was our intent and hope that the Court would, as part
22 of this motion, also approve the proposed base period from
23 2001 to 2020, and I am prepared to explain the reasons why.
24 We think we made an adequate showing that that is an
25 appropriate base period to be used going forward. And to
26 avoid any confusion going forward, I suggest that we settle

1 that issue now so there's no doubt as to what base period
2 we'll use in the future. The guiding principle --

3 THE COURT: Before you get to that, Mr. McElhaney.

4 MR. MC ELHANEY: Yes.

5 THE COURT: In my mind before the Court makes a
6 decision regarding the merits of such change, the Court's
7 concern was that there was no explicit request for that
8 relief. Indeed Mr. Wagner's declaration talked as if --
9 well, this is the year -- this is the period that we really
10 used in 2024, and we'll use it now and we intend to use it
11 in the future. And while that may be implicitly asking for
12 court approval of the substitution of base periods, it
13 wasn't laid out as part of the relief being sought in the
14 motion, at least not expressly.

15 Would you disagree with that? Would you disagree
16 that nothing in the motion expressly asked for approval of
17 2001 to 2020 as being the base period to be used from here
18 on out?

19 MR. MC ELHANEY: I would agree that it was
20 explicitly requested but not expressly requested, your
21 Honor.

22 THE COURT: Let me rephrase that. Implicitly
23 requested but not expressly.

24 MR. MC ELHANEY: That's correct.

25 MS. CARLONI: And on behalf of Newberry Springs, we
26 would echo Mr. Hoffman's comments and would like to reserve

1 on that.

2 MS. HASTINGS: Stephanie Hastings on behalf of
3 Golden State, and I echo the same comments. This is
4 inherently a component of the PSY calculation, which is
5 subject to change over time and to the extent that the
6 Watermaster will be filing a new motion for new approval of
7 a PSY for next year and potentially the following year. To
8 the extent that we have not yet seen the model, we would
9 reserve the right to be able to reevaluate the base period
10 at that time. It is the type of information that changes
11 from year to year. There may be significant hydrologic
12 events that would call into question a base period utility
13 in the future, and we would encourage the Watermaster to
14 consider those kind of factors such that that base period
15 may, in fact, evolve over time.

16 MR. MC ELHANEY: Your Honor, if I can respond
17 briefly.

18 THE COURT: I don't think it's necessary because
19 the Court does not intend to revisit the subject of the
20 appropriate base period every year, and it's clear from the
21 Watermaster's moving and reply papers that the Watermaster
22 does not believe it's appropriate either, that upon a
23 showing of good cause of the base period may be changed as
24 it's being proposed to be changed right now. But I would
25 anticipate that happens with significant infrequency and
26 certainly not more than every ten years, I would think. I

1 don't hope to be evaluating such a motion 11 or 12 years
2 from now. I hope to pass this case off to somebody else by
3 then.

4 So I'm content to recognize the objections that
5 have been stated by Mr. Hoffman and Ms. Carloni and
6 Ms. Hastings, that requires a motion that is specifically
7 addressed to this and expressly seeks an approval of a
8 substitution of the base period. I would expect that to be
9 done next year or sooner, regardless of whether the model is
10 completed by then. I see no reason why the base period
11 cannot be resolved for the foreseeable future within the
12 next 12 months. But I do not expect, in my mind, the
13 parties should not expect that's going to be a topic that we
14 will address every year or two.

15 MR. MC ELHANEY: I understand where the Court is
16 coming from, and I would simply reserve the opportunity to
17 file perhaps as early as within 30 days a motion specific to
18 that issue what the appropriate base period should be going
19 forward so we have no doubt or uncertainty in that when we
20 get to our annual report next year and if further processes
21 would be followed next year.

22 THE COURT: I think it would be helpful to get that
23 issue resolved, whether we'll stick with 1931 to 1990 or
24 whether we're going to use the new 20-year period, I think
25 that would be a good thing to get resolved and out of the
26 way before we deal with PSY calculations and FPA

1 calculations before next June or July.

2 MR. MC ELHANEY: And the motion may be
3 significantly less than ten pages.

4 THE COURT: The Court always appreciates brevity.
5 Is there anything else -- let me review my notes to see if I
6 have anything else. Is there -- let me start with those
7 appearing online, is there anything else that anybody wishes
8 to raise today? Hearing nothing.

9 Counsel who are at counsel table, anything else
10 that you wish to raise today?

11 MS. CARLONI: No, your Honor.

12 MR. MC ELHANEY: Nothing further.

13 THE COURT: Those that have sat quiet in the
14 audience, is there anything else that either of you want to
15 raise today either to be discussed today or put on the
16 agenda for the future? All right. Then the --

17 MR. HOFFMAN: Your Honor, I'm sorry. I thought of
18 one thing. It's a housekeeping matter, if I may, and I
19 apologize for remembering late in the game. Two items: One
20 is with respect to giving notice of intent to participate or
21 give oral argument at these hearings. We have run into a
22 bit of a tricky procedural aspect where we notify the
23 Watermaster who then also must also give notice by mail in
24 some respects to some parties. So when a tentative comes
25 out at 3:00 o'clock and we're asked to notify all the
26 parties and the court by 4:30 per the standard rule, that

1 can't always be accomplished, so I would like to let the
2 Court know that that's something we will try to work
3 through. I know that's a minor mechanism, but may be
4 important and I'll talk to Mr. McElhaney about that.

5 THE COURT: The Court would be satisfied if you
6 were to give notice to counsel for all parties who have
7 appeared with respect to any particular motion, because, as
8 you indicated, the time to request oral argument after a
9 tentative ruling has been issued is very short, and I don't
10 expect anybody to be sending out a written notice to 3,500
11 property owners in the basin.

12 MR. HOFFMAN: Thank you, your Honor. My
13 administrative staff will appreciate that and I'm sure the
14 Watermaster staff will as well.

15 Second, there's a related action pending. We will
16 refer to it as the San Bernardino action, and I wonder at
17 some point if the Court would consider requiring that notice
18 in that case be given to parties in this case or perhaps
19 ensuring that the Court's calendars are aligned such the
20 status hearings in both matters can be heard concurrently.

21 And I apologize, I didn't mention this to
22 Mr. McElhaney before the hearing today. I didn't mean to
23 surprise him, but it may be helpful for those parties that
24 need to monitor both cases to stay informed about each case.

25 THE COURT: The difficulty -- ideally that is
26 exactly what would happen. The difficulty arises from the

1 fact that I'm not handling that other case because I'm an
2 old retired guy, and I'm only holding on to this case
3 because I don't want to inflict it on anybody new. I didn't
4 want to give it to Judge Hopp, even though he took over the
5 other complex cases, because I knew was retiring in two
6 years. He's retiring this December. And it took me several
7 years to get up to speed in this case. And in my view, it
8 was unfair to the parties to transfer this case to a new
9 judge when he finally felt comfortable with the case he
10 would retire and the case would be given to somebody else.
11 So I intend to hold on to this for another two years, two
12 and a half years. I'm not sure I'll hold on to it after
13 that.

14 And that is simply to explain why there's not one
15 judge handling both cases.

16 Mr. McElhaney, how many parties are there who have
17 actually appeared as opposed to defaulted in the new
18 coordinated case.

19 MR. MC ELHANEY: I'm guessing, your Honor, about
20 30, I believe.

21 THE COURT: All right. And the number of people
22 who get notice through of like this order once I send it to
23 the Watermaster for distribution that is 3,000 plus?

24 MR. RUESCH: About 550.

25 THE COURT: Really? Other than minimum producers
26 there's only 550 produces that are --

1 MR. RUESCH: 430 plus their attorneys.

2 THE COURT: I thought it was thousands. Okay. If
3 I were to -- I will do this. I will urge the Watermaster to
4 add the parties in the San Bernardino case to the service
5 list for this case.

6 And Mr. Hoffman, you were asking that it go the
7 other direction as well?

8 MR. HOFFMAN: I am and one reason why is as the
9 Court may recall, years ago now, it was first presented as a
10 motion to enforce the judgment. And as I recall, due to
11 procedural limitations that the Court perceived about
12 amending a complaint postjudgment, directed the Watermaster
13 to file a separate litigation, which has now been
14 effectually known as the San Bernardino case.

15 And so the challenges to the parties of this
16 action -- there's been some confusion in trying to track and
17 monitor the other matter, the San Bernardino action. So my
18 request would be have the Court consider having the
19 Watermaster notify the parties in this case about status
20 conference hearings and other filings that are occurring in
21 that coordinated action perhaps through the same mechanism
22 that it notifies parties of filings in this case.

23 THE COURT: I appreciate the desire to eliminate
24 confusion, but I'm not sure that non-parties in this case
25 receiving notices are going to be less confused than more
26 confused by that. I will leave it to counsel to discuss

1 with each other as to what is the best way to do that and
2 keeping in mind that -- I mean, the whole reason we have the
3 Watermaster involved in giving notice at all is because we
4 did not want the clerk's office to be assuming the duty of
5 sending out 550 notices of what I thought was going to be
6 1500 or 2500 notices to all those parties.

7 So I'm -- if it cannot be worked out voluntarily,
8 I'm happy to hear that issue down the road, but let's try
9 meeting and conferring on that issue first.

10 MR. HOFFMAN: Will do. Thank you, your Honor.

11 THE COURT: Anything else. All right, ladies and
12 gentlemen, it is always a pleasure to hear from counsel who
13 are so well prepared, and I still hope that at some point in
14 time I can see the stability of the various subareas improve
15 and level off and actually go up a little bit before I let
16 go of this case. I never would have thought years ago when
17 I took it over that we would be at a place where Baja is
18 down to 19.5 percent of FPA, so here we are.

19 So hopefully the efforts that are being made to
20 enforce the judgment through the second action, the creation
21 of a more complete more reliable model in which to base
22 decisions, and just that the economic changes of the level
23 of pumping in this basin, all those things put together,
24 hopefully in the not too distant future, result in a much
25 more comfortable equilibrium.

26 so with that have a good afternoon, and the Court

1 will give notice.

2 (Proceedings were adjourned.)

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

DEPARTMENT NO. 1

HON. CRAIG RIEMER, JUDGE

CITY OF BARSTOW, et al.,
Plaintiff/Appellant,

vs.

CITY OF ADELANTO, et al,
Defendant/Respondent.

)
)
)
)
) Superior Court
) Case No. CIV208568
)
) REPORTER'S CERTIFICATE
)
)

STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

) SS.
)
)

I, MARIANNE R. REID, Official Reporter Pro Tempore
of the Superior Court of California, for the County of
RIVERSIDE, do hereby certify that the foregoing pages
numbered 1 to 36, inclusive, comprise a full, true, and
correct transcript of the testimony and proceedings taken in
the above-entitled matter on Monday, August 4, 2025.

Dated 11th day of September, 2025.


MARIANNE R. REID, CSR 11053
OFFICIAL REPORTER PRO TEMPORE

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Derek Hoffman, Bar No. 285784
Email: dhoffman@fennemorelaw.com
Darren K. Key, Bar No. 324353
Email: dkey@fennemorelaw.com
FENNEMORE LLP
550 E. Hospitality Lane, Suite 350
San Bernardino, CA 92408
Tel: (909) 890-4499 / Fax: (909) 890-9877

Attorneys for MITSUBISHI CEMENT
CORPORATION, ROBERTSON'S READY
MIX, LTD., and CALPORTLAND COMPANY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE – CENTRAL DISTRICT

CITY OF BARSTOW, et al.,

Plaintiff,

v.

CITY OF ADELANTO, et al.,

Defendant.

AND RELATED CROSS-ACTIONS.

Case No. CIV208568

**DECLARATION OF ANONA DUTTON IN
SUPPORT OF MITSUBISHI CEMENT
CORPORATION, CALPORTLAND
COMPANY, AND ROBERTSON'S READY
MIX, LTD. OPPOSITION/RESPONSE TO
MOJAVE WATERMASTER MOTION FOR
DETERMINATION OF HYDROLOGIC BASE
PERIOD FOR PRODUCTION SAFE YIELD
CALCULATIONS**

Assigned for All Purposes to:
Hon. Craig G. Reimer
Dept: 1

Date: October 20, 2025
Time: 8:30 a.m.
Dept: 1

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EXHIBIT A

Anona L. Dutton, PG, CHG

Vice President / Principal-in-Charge

Director of Water Resources & Engineering Practice

Ms. Dutton has over twenty years of professional experience managing water resources projects. She has managed multi-million dollar efforts to secure reliable water supplies for water agencies and developers, including leading the technical efforts to minimize the water footprint of new and existing development, assessing groundwater and surface water supply yields and augmentation options, securing water transfer options, and evaluating the feasibility of developing new water supply sources such as recycled water, desalination water, and other non-potable sources.

Ms. Dutton is deeply involved in implementation of the Sustainable Groundwater Management Act (SGMA) throughout the State, including provision of strategic and technical support for Groundwater Sustainability Agency (GSA) formation, basin boundary adjustments, Groundwater Sustainability Plan (GSP) development and implementation, and securing grant funding. Her work to support GSAs has included development and improvement of representative monitoring networks, and numerical groundwater modeling, among other related efforts. She has also provided litigation support services.

Relevant Experience

- **Sustainable Groundwater Management Act Implementation. Multiple Clients.** Ms. Dutton's recent SGMA work includes supporting coordination among GSAs, securing grant funding, basin boundary modifications, GSP preparation and implementation, installation of new monitoring wells, and Annual Report preparation. As part of SGMA compliance, she is overseeing stakeholder engagement efforts, assessments of groundwater conditions, numerical groundwater modeling, development of sustainability criteria, and projects and management actions (P/MAs), including land repurposing efforts as part of demand management. Her SGMA projects span California including:
 - Delta-Mendota Subbasin
 - Turlock Subbasin
 - Castac Lake Valley Basin
 - Cosumnes Subbasin
 - Merced Subbasin
 - Cuyama Valley Basin
 - Livermore Valley Basin
 - San Mateo Plain Subbasin
 - Kaweah Subbasin
 - Pleasant Valley Subbasin
 - Kern County Subbasin
 - Chowchilla Subbasin
 - North Yuba Subbasin
 - White Wolf Subbasin
 - Santa Inez Valley Basin
 - Kings Subbasin
 - Monterey Subbasin
 - East Bay Plain Subbasin
 - Tule Subbasin
 - Turlock Subbasin



Education

- M.S., Hydrogeology, Stanford University, 2000
- B.S., Environmental Sciences, Stanford University, 1998

Registrations/Certifications

- Professional Geologist in California (#7683)
- Certified Hydrogeologist in California (#841)
- Professional Geologist in Oregon (#G2972)
- Professional Geologist and Hydrogeologist in Washington (#24014613)

Technical Expertise

- SGMA and Groundwater expertise
- GSP Development and Implementation
- Comprehensive Supply Reliability Studies
- Integrated Water Planning and Management
- Litigation Support
- Water Use Efficiency Planning and Implementation
- UWMPs and WSAs
- Stakeholder Engagement
- Grant Funding Expertise

- **Las Posas Subbasin Adjudication. *Ventura County, CA.*** Ms. Dutton provided technical expert services in support of the groundwater basin adjudication effort in the Las Posas Subbasin. EKI estimated the native safe yield of the Basin and developed detailed a history of documented overdraft conditions in the Basin using historical documents, data, and the existing numerical models of the subbasin. Water level data, pumping estimates, and State Water Project water imports were compiled and analyzed to support findings that without the importation and use of imported water, including by our client, the Basin would be in overdraft. Ms. Dutton authored a technical expert report and declaration which included quantification of groundwater pumped from client wells compared to that from the entire Basin to support a successful prescriptive water rights claim during adjudication negotiations.
- **Valley Water. *Multiple water banking related analysis.*** Ms. Dutton leads EKI's efforts to support Valley Water in the assessment of multiple water banking opportunities. Work efforts have included in-depth analysis of existing water bank performance and risk factors, including those related to water quality and declining groundwater levels, and systemizing the process to support Valley Water's on-going assessment of water bank performance and identification of new water banking sites.
- **IPR/DPR Feasibility Assessment. *Marina Coast Water District (MCWD), Monterey County, CA.*** Ms. Dutton conducted a technical assessment of the feasibility to develop an indirect or direct potable reuse (IPR/DPR) project in Monterey Subbasin. As part of this assessment, she developed a hydrogeologic conceptual model of the local groundwater system and conceived of and priced out options to augment potable water supplies with Salinas River storm flows or highly treated municipal wastewater. This project is now being pursued as part of GSP implementation.
- **Technical and Strategic Water Resources Support. *Zone 7 Water Agency, Alameda County, CA.*** Ms. Dutton lead the development of a Conjunctive Use (CU) Study to support Zone 7 to identify the preferred integration of known and potential future sources and new infrastructure to increase yield, operations, and reliability as part of the 2022 Water Supply Evaluation. The CU Study considered a variety of sources and options, including optimization of the groundwater basin, recharge of imported and reclaimed water, investments in LVE and Sites reservoir, and water bank operation, among other things. She also prepared the Periodic Evaluation for the approved Livermore Valley Basin Alternative GSP, supported preparation of several Annual Reports, and successfully secured the highest award in the state from the Round 3 grant solicitation for the Zone 7 GSA. Current work efforts include the development and application of a new groundwater flow model for the basin to support assessment of basin water budgets, surface water groundwater interaction, and PFAS transport.
- **Technical and Strategic Water Resources Support. *South of Kern River GSAs, CA.*** Since 2014 Ms. Dutton has provided strategic technical support to Arvin-Edison Water Storage District, Tejon-Castac Water District, Wheeler Ridge-Maricopa Water Storage District in groundwater sustainability matters. She is leading efforts to comply with SGMA in the White Wolf and Kern County Subbasins, including GSP preparation and implementation, and numerical model development and application. She is supporting efforts to develop conjunctive use projects and to maintain water quality and prevent additional subsidence impacts to the Friant-Kern Canal. She is supporting the costing, prioritization and implementation of P/MAs related to successfully procuring grant funds and developing land-repurposing and other demand reduction programs, in addition to supply augmentation projects. She

developed a water rights-based water budget and groundwater allocation method that considered native safe yield, the surface water imports and water banking operations, and historical water use information for the GSAs and local landowners. She is currently supporting the Kern Subbasin through the State Board intervention process.

Ms. Dutton also oversaw the development of numerical groundwater flow models for groundwater basins in Kern County, CA in support of SGMA GSP development and assisting in planning future projects and management actions. This effort involved collecting and interpreting well log, water quality, and lithologic data to characterize hydrogeologic properties and inform model grid development and parameterization, preparation of input and calibration datasets, agricultural water demand and soil moisture balance calculations, model calibration, water budget development, and projected scenario simulations and analysis including contaminant fate and transport evaluations. The models have specific focuses in characterizing groundwater-surface water interactions and in assessing impacts of proposed groundwater reuse and replenishment projects. Additionally, Ms. Dutton oversaw the development of accompanying, interactive Decision Support Tool platforms that allow users to directly assign, run, and evaluate predictive model scenarios using a web-based graphical user interface to support operational management planning and decision-making under future hydrologic and water supply availability uncertainties.

EXHIBIT B

29 September 2025

Derek Hoffman
Fennemore
550 E Hospitality Lane, Suite 350
San Bernardino, CA 92408

Subject: **Comments on the Watermaster's Motion for Determination of Hydrologic Base Period for the Production Safe Yield Calculations**
(EKI 50063.00)

Dear Mr. Hoffman:

EKI Environment & Water, Inc. (EKI) has conducted a review of the Mojave Watermaster *Motion for Determination of Hydrologic Base Period for the Production Safe Yield Calculation; Memorandum of Points and Authorities, Supporting Declarations*¹ (Motion). EKI has conducted this review and provided the comments below to Fennemore in its role as Counsel to Mitsubishi Cement Corporation, Robertson's Ready Mix, Ltd., and CalPortland Company (collectively the "Clients") in the Mojave River Basin Area (Basin).

SUMMARY OF MOTION

On 2 September 2025, the Watermaster filed a Motion proposing to establish the years 2001-2020 as a new hydrologic base period on which future calculations of Production Safe Yield (PSY) and therefore Free Production Allowance (FPA) will be based. The current hydrologic base period traditionally utilized for this calculation is 1931-1990. Key comments on the Motion are presented below. The Watermaster states that determination of a new hydrologic base period is necessary because the original hydrologic base period "does not 'include recent cultural conditions' (as required by DWR Bulletin No. 84)." As described in detail below, our primary concern relates to the focus in the Motion on a single water budget component in one subarea as the basis for determination of the hydrologic base period.

KEY COMMENTS

The Watermaster does not fully demonstrate how the proposed Hydrologic Base Period satisfies the requirements set forth in the Judgment.

Per Paragraph 4, subdivision "aa" of the Judgment, PSY is defined as:

"The highest average Annual Amount of water that can be produced from a Subarea: (1) over a sequence of years that is representative of long-term average annual natural water supply to the Subarea net of long-term average annual natural outflow from the Subarea (2) under given

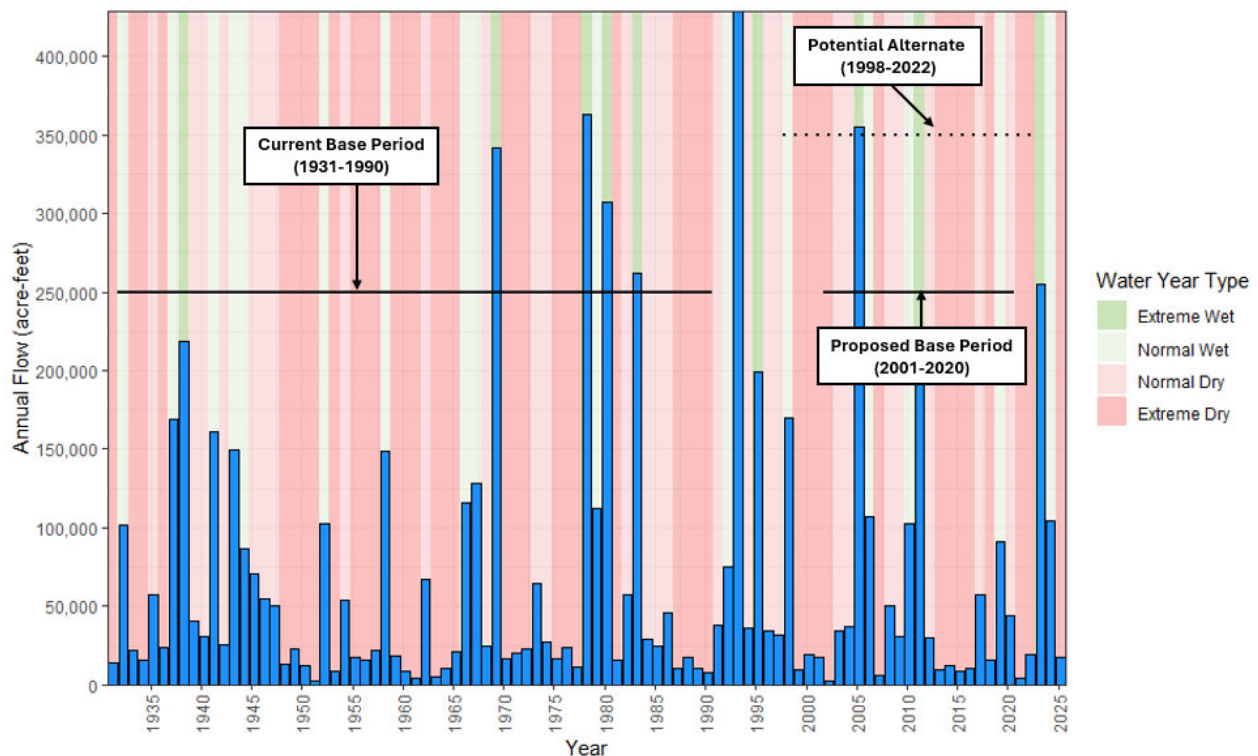
¹ Brunick, McElhaney, & Kennedy PLC, 2025. Motion for the Determination of Hydrologic Base Period for Production Safe Yield Calculations; Memorandum of Points and Authorities; Supporting Declaration. September.

patterns of Production, applied water, return flows, and Consumptive Use, and (3) without resulting in a long-term net reduction of groundwater in storage in the Subarea.”

As described in the Motion, items (1) and (2) in the above definition speak to required elements for a hydrologic base period.

Regarding item (1), the Watermaster states that the proposed hydrologic base period of 2001-2020 satisfies the requirements set forth in the Judgment and Bulletin No. 84 because it is a set of years that reflects “recent cultural conditions”, includes normal and extreme wet and dry years, both the beginning and the end of the hydrologic base period are preceded by a series of dry years, and is relatively short and recent. The basis for these conclusions appears to be Mojave River flow at the Forks, a chart of which is included in the Motion as Exhibit 2. Using publicly available data from the USGS, EKI has re-created this chart below as **Figure 1**.

Figure 1 - Mojave River Flow at the Forks



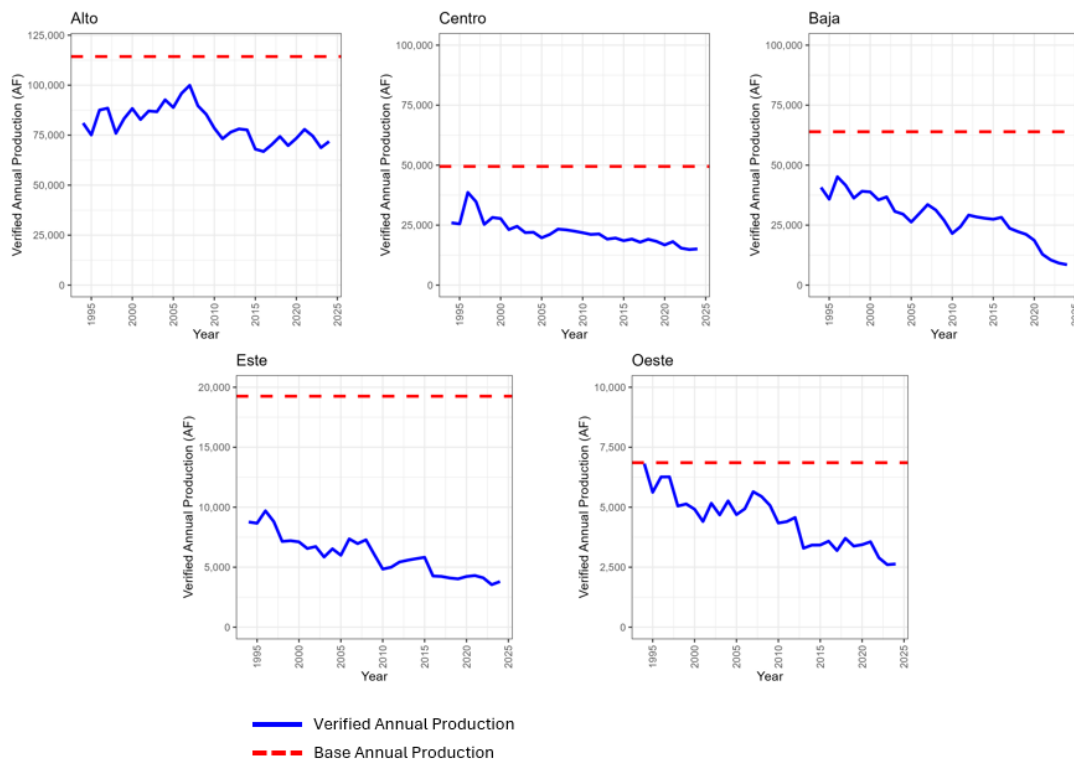
Note: The Water Year types shown on Figure 1 are estimated based on specific water year types called out in the Motion and the corresponding flow at the Forks.

As shown on **Figure 1**, based on flow at the Forks, the proposed hydrologic base period of 2001-2020 does contain normal and extreme wet and dry years, both the beginning and the end of the hydrologic base period are preceded by a series of dry years, and is relatively short and recent. However, these conditions can be satisfied by multiple different and comparable timeframes since entrance of the Judgment. For example, as shown on **Figure 1**, the period from 1998-2022 also contains normal and extreme wet and dry years, a series of dry years precede the beginning and end of the period, and it is relatively short. At a

minimum the Watermaster should conduct an evaluation of all potential time periods that satisfy the stated conditions and demonstrate the potential range of results and justify an ultimate selection.

Regarding item (2), the Motion currently does not demonstrate that the proposed hydrologic base period of 2001-2020 is most representative of “patterns of Production, applied water, return flows, and Consumptive Use”. As described above, multiple candidate periods can be identified on the basis of flow at the Forks. With flow at the Forks being the only supporting data provided, it is impossible to determine if the proposed hydrologic base period is appropriate for other water budget components, or how the proposed hydrologic base period compares to other potential periods. In the time since the Judgment was adopted, Verified Annual Production (VAP) has declined in all subareas as shown below on **Figure 2**. It is not apparent to what extent, if any, these declines in VAP, or other factors such as land use changes within the Basin, were considered by the Watermaster when selecting the new hydrologic base period to reflect “patterns of Production” and “recent cultural conditions”.

Figure 2 - Verified Annual Production, 1994-2024



The Watermaster does not describe plans to update various components of the calculation of PSY using the new Hydrologic Base Period.

The Judgment describes the calculation of PSY and provides an example calculation in Table C-1, shown below. For each subarea, budget terms are quantified for water supply and consumptive use and outflow, the difference of which determines the surplus or deficit. These budget terms include surface water inflows and outflows, deep percolation of precipitation, imports and exports, and consumptive use. Although it is the only parameter considered in the Motion for purpose of determining the hydrologic base period, the Mojave River flow at the Forks represents only one component of the water budget for one subarea – surface water inflow into Alto. The relationship, if any, of the Mojave River flow to the other water budget components, particularly those in other subareas, is not discussed or evaluated in the Motion, as further described below.

**--SAMPLE CALCULATION--
TABLE C-1 OF JUDGMENT**

**Mojave Basin Area Adjudication
Subarea Hydrological Inventory Based On
Long-Term Average Natural Water Supply and Outflow
and Current Year Imports and Consumptive Use
(All Amounts in Acre-Feet)**

WATER SUPPLY	Este	Oeste	Alto	Centro	Baja	Basin Totals
Surface Water Inflow						
Gaged	0	0	65,000	0	0	65,000
Ungaged	1,700	1,500	3,000	37,300 ¹	14,300 ²	6,500 ³
Subsurface Inflow	0	0	1,000	2,000	1,200	0 ⁴
Deep Percolation of Precipitation	0	0	3,500	0	100	3,600
Imports						
Lake Arrowhead CSD	0	0	1,500	0	0	1,500
Big Bear ARWWA	2,000	0	0	0	0	2,000
TOTAL	3,700	1,500	74,000	39,300	15,600	78,600
CONSUMPTIVE USE AND OUTFLOW						
Surface Water Outflow						
Gaged	0	0	0	0	8,200	8,200
Ungaged	0	0	37,300 ¹	14,000 ⁵	0	0
Subsurface Outflow	200	800	2,000	1,200	0	0
Consumptive Use						
Agriculture	6,800	2,900	16,300	20,300	30,200	76,500
Urban	1,900	1,200	36,300	9,500	9,700	58,600
Phreatophytes	0	0	5,100	900	1,500	7,500 ⁶
Exports	0	0	0	0	0	0
TOTAL	8,900	4,900	97,000	45,900	49,600	150,800
 Surplus / (Deficit)	 (5,200)	 (3,400)	 (23,000)	 (6,600)	 (34,000)	 (72,200)
Total Estimated Production (Current Year) ⁷	15,700	7,600	98,900	46,500	54,300	223,000
 PRODUCTION SAFE YIELD (Current Year) ⁷	 10,500	 4,200	 75,900	 39,900	 20,300	 150,800

¹ Estimated from reported flows at USGS gaging station, Mojave River at Victorville Narrows.

² Includes 14,000 acre-feet of Mojave River surface flow across the Waterman Fault estimated from reported flows at USGS gaging station, Mojave River at Barstow and 300 acre-feet of local surface inflow from Kane Wash.

³ Represents the sum of Este (1,700 af), Oeste (1,500 af), Alto (3,000 af) and Baja (300 af from Kane Wash).

⁴ Inter subarea subsurface flows do not accrue to the total basin water supply.

⁵ Estimated from reported flows at USGS gaging station, Mojave River at Barstow.

⁶ Estimated by Bookman-Edmonston.

⁷ For purposes of this Table, the current year is 1990.

For much of the time since adoption of the Judgment, water budget components including ungaged flows into Este and Oeste and deep percolation of precipitation remained fixed. Other water budget components, such as surface water inflows into Centro are understood to be updated based on monitoring data or additional analyses and studies conducted by the Watermaster. In recent annual reports, such as for water year 2022-2023, the Watermaster updated some values (such as Este and Oeste inflow into Alto) based on the Upper Basin Alto Model and started to include water budget terms like mountain front recharge². EKI understands that the Watermaster is currently engaged in development of the Regional Mojave Basin Model (RMBM) and is simultaneously conducting field studies in the Basin, which will likely inform subarea water budgets. Based on the Motion, it is currently unclear how, if at all, the Watermaster intends to revisit components of the PSY calculation other than Alto surface water inflow in the context of the new hydrologic base period, or if the proposed hydrologic base period is appropriate for other water budget components such as consumptive use.

Given that the Watermaster is currently engaged in various studies and data-gap filling efforts in the Basin, and that recent Annual Reports have contained updated values based on monitoring or model data, it is reasonable to assume that some of these other budget terms are likely to change and that any proposed hydrologic base period should be evaluated in the context of more than one parameter for one subarea. However, no information to this end is provided in the Motion. As such, it is impossible to assess the appropriateness of the proposed hydrologic base period in the context of all water budget components or to evaluate the full impacts of the proposed hydrologic base period on calculation of PSY.

The Watermaster does not fully demonstrate how determination of the proposed Hydrologic Base Period utilizes the “best available records and data.”

Per the Judgment (24(w)), the Watermaster is to use “sound scientific and engineering estimates” and incorporate the “best available records and data.” While the Basin is not subject to the Sustainable Groundwater Management Act (SGMA), the Department of Water Resources (DWR) has published numerous Best Management Practices (BMPs) since the advent of SGMA that can be drawn on to support the technical administration of the Judgment. In the BMP for Water Budgets³, DWR states that when developing a historical water budget for a given basin, managers should “use at least the most recent ten years of water supply reliability and water budget information to describe how the historical conditions concerning **hydrology, water demand, and surface water supply availability or reliability** have impacted the ability of the local agency to operate the basin,” (DWR 2016, emphasis added).

As described above, the calculation of PSY involves various water budget components including subsurface flow among subareas, deep percolation of precipitation, and evapotranspiration. While EKI understands that the Watermaster is engaged in ongoing studies and data collection efforts in the Basin, the Motion currently makes no mention of utilizing additional techniques and data sources such as

²In the 2021-2022 Annual Report Table 5-1, the Watermaster uses a mix of monitoring data and values derived from the Judgment for the water budget terms originally established in the Judgment. In the 2022-2023 Annual Report, the Watermaster includes new water budget terms such as mountain front recharge and generally provides citations for each water budget component in Table 5-1, however, Table 5-1 does not include Este or Oeste. Values presented in the 2022-2023 Table 5-1 are a mix of monitoring literature data and use a 2001-2020 hydrologic base period. Table 5-1 for the 2023-2024 Annual Report is not currently available on the Watermaster’s website.

³ Department of Water Resources, 2016. Best Management Practices for the Sustainable Management of Groundwater: Water Budget BMP. December.

satellite measurements of evapotranspiration or the use of regional, long-term precipitation datasets when assessing a hydrologic base period or when computing and refining PSY. As such, it is not clear that the proposed hydrologic base period is based on the “best available records and data” since the Motion provided limited supporting materials that only addressed one water budget component in one subarea, and the Motion makes no mention of hydrology (other than flow at the Forks) or water demand over the proposed hydrologic base period.

Important to engage stakeholder parties in evaluations of Hydrologic Base Period, PSY, FPA, and development of the Regional Mojave Basin Model.

During last year’s Watermaster cycle, the Watermaster Engineer provided high-level updates on the development of the RMBM, including updates on the development of the hydrogeological conceptual model (HCM), ongoing investigations that will inform the HCM, and identifying applications of the RMBM for evaluating PSY and FPA in all subareas except the Este Subarea. Based on the inclusion of flow model budget terms like mountain front recharge in recent years’ PSY calculations, it is reasonable to assume that water budget components extracted from the RMBM will support PSY calculations in the future.

In EKI’s letters to the Watermaster to date, we request opportunities to actively engage in ongoing and forthcoming technical analyses being conducted in the Basin, including RMBM development and other hydrogeological studies, such as hydrologic base period selection, as results of these studies could potentially significantly impact future determinations of PSY and FPA and other Basin management activities.

Sincerely,

EKI ENVIRONMENT & WATER, INC.

A handwritten signature in blue ink, appearing to read "Anona Dutton", with a long horizontal flourish extending to the right.

Anona Dutton, PG, CHG
Vice President

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO**

3 Re: City of Barstow v. City of Adelanto, et al.;
4 Riverside Superior Court Case No.: CIV 208568

5 I am employed in the County of Fresno, State of California. I am over the age of 18 years and not
6 a party to the within action; my business address is: 8080 North Palm Ave. Third Floor, Fresno,
7 CA 93711. On October 7, 2025, I served copies of the within documents described as
8 **MITSUBISHI CEMENT CORPORATION, ROBERTSON'S READY MIX, LTD. AND**
9 **CALPORTLAND COMPANY OPPOSITION/RESPONSE TO MOJAVE**
10 **WATERMASTER MOTION FOR DETERMINATION OF HYDROLOGIC BASE**
11 **PERIOD FOR PRODUCTION SAFE YIELD CALCULATIONS; SUPPORTING**
12 **DECLARATIONS** on the interested parties in this action in a sealed envelope addressed as
13 follows:

14 **See attached Service List**

15 ☒ **BY MAIL** - I am "readily familiar" with the firm's practice of collecting and processing
16 correspondence for mailing. Under that practice, it would be deposited with the United States
17 Postal Service on the same day in the ordinary course of business, with postage thereon fully
18 prepaid at San Bernardino, California. I am aware that on motion of the party served, service
19 is presumed invalid if postal cancellation date or postage meter date is more than one day after
20 date of deposit for mailing in affidavit.

21 ☐ **BY PERSONAL SERVICE** - I caused such envelope to be delivered by hand to the offices
22 of the addressee pursuant to C.C.P. § 1011.

23 ☐ **BY EXPRESS MAIL/OVERNIGHT DELIVERY** - I caused such envelope to be delivered
24 by hand to the office of the addressee via overnight delivery pursuant to C.C.P. § 1013(c), with
25 delivery fees fully prepaid or provided for.

26 ☐ **BY FACSIMILE** - I caused such document to be delivered to the office of the addressee via
27 facsimile machine pursuant to C.C.P. § 1013(e). Said document was transmitted to the
28 facsimile number of the office of the addressee from the office of Gresham Savage Nolan &
Tilden, in San Bernardino, California, on the date set forth above. The facsimile machine I
used complied with California Rules of Court, Rule 2003(3) and no error was reported by the
machine. Pursuant to California Rules of Court, Rule 2009(i), I caused the machine to print a
record of the transmittal, a copy of which is attached to this declaration.

☒ **BY ELECTRONIC/EMAIL** - Pursuant to the party's express consent to receive electronic
service, I caused such document to be delivered to the office of the addressee via electronic e-
mail pursuant to C.C.P. § 1010.6(a)(2)(A)(ii). Said document was transmitted to the email
address of that office which is listed on the attached Service List. Said document was served
electronically and the transmission was reported as complete and without error.

FEDERAL - I am employed in the office of a member of the bar of this court at whose
direction the service was made.

I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct. Executed on October 7, 2025, at Fresno, California.

27 
28 KELLY RIDENOUR

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SERVICE LIST

Re: City of Barstow v. City of Adelanto, et al.;
Riverside Superior Court Case No.: CIV 208568

William J. Brunick, Esq. Leland P. McElhaney, Esq. Brunick, McElhaney & Kennedy PLC 1839 Commercenter West P.O. Box 13130 San Bernardino, CA 92423-3130 Email: bbrunick@bmklawplc.com lmcelhaney@bmklawplc.com	Attorneys for Defendant/Cross- Complainant, MOJAVE WATER AGENCY
Mojave Basin Area Watermaster c/o Jeff, Watermaster Services Manager 13846 Conference Center Drive Apple Valley, CA 92307-4377 Email: jruesch@mojavewater.org watermaster@mojavewater.org	MOJAVE BASIN AREA WATERMASTER

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 October 7, 2025, 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:

MITSUBISHI CEMENT CORPORATION, ROBERTSON'S READY MIX, LTD. AND CALPORTLAND COMPANY OPPOSITION/RESPONSE TO MOJAVE WATERMASTER MOTION FOR DETERMINATION OF HYDROLOGIC BASE PERIOD FOR PRODUCTION SAFE YIELD CALCULATIONS; SUPPORTING DECLARATIONS

 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 7, 2025 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of October 07, 2025

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

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

Attn: Jessie Florez
Adelanto, City Of
11600 Air Expressway
Adelanto, CA 92301-1914

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

Attn: Pedro Dumaua
(pdumaua@ducommun.com)
Aerochem, Inc. (via email)
23301 S. Wilmington Ave
Carson, CA 90744-

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

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

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

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

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

Ake, Charles J. and Marjorie M.
2301 Muriel Drive, Apt. 67
Barstow, CA 92311-6757

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

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

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

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

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

Attn: Parks and Recreation Town of Apple
Valley
Apple Valley Unified School District
14955 Dale Evans Parkway
Apple Valley, CA 92307-3061

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

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

(ArchibekFarms@gmail.com;
Sandi.Archibek@gmail.com)
Archibek, Eric (via email)
41717 Silver Valley Road
Newberry Springs, CA 92365-9517

Avila, Angel and Evalia
1523 S. Visalia
Compton, CA 90220-3946

Attn: Sheré R. Bailey
(LegalPeopleService@gmail.com)
Bailey 2007 Living Revocable Trust, Sheré R.
(via email)
10428 National Blvd
Los Angeles, CA 90034-4664

Attn: Daniel Shaw (barhwater@gmail.com)
Bar H Mutual Water Company (via email)
PO Box 1592
Lucerne Valley, CA 92356-0844

Attn: John Munoz
(barlenwater@hotmail.com;)
Bar-Len Mutual Water Company (via email)
P. O. Box 77
Barstow, CA 92312-0077

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

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

Bartels, Gwendolyn J.
156 W 100 N
Jerome, ID 83338-5256

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Angelyn Bass
(angelynbass@yahoo.com;
avbassenterprises@gmail.com)
Bass Trust, Newton T. (via email)
PO Box 22759
Santa Fe, NM 87502-

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

Attn: Deborah Stephenson
(stephenson@dmsnaturalresources.com;
Jason.Murray@bnsf.com;
Blaine.Bilderback@bnsf.com)
BNSF Railway Company (via email)
602 S. Ferguson Avenue, Suite 2
Bozeman, MT 59718-

Box, Geary S. and Laura
P. O. Box 402564
Hesperia, CA 92340-2564

Brown, Jennifer
10001 Choicena Ave.
Hesperia, CA 92345

(bubierbear@msn.com)
Bubier, Diane Gail (via email)
46263 Bedford Rd.
Newberry Springs, CA 92365-9819

(kjbco@yahoo.com)
Bush, Kevin (via email)
7768 Sterling Ave.
San Bernardino, CA 92410-4741

Attn: Robert W. Bowcock
CalMat Company
405 N. Indian Hill Blvd.
Claremont, CA 91711-4614

Attn: Tony Camanga
Camanga, Tony and Marietta
2309 Highland Heights Lane
Carrollton, TX 75007-2033

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

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

Attn: Deborah Stephenson
(stephenson@dmsnaturalresources.com)
BNSF Railway Company (via email)
602 S. Ferguson Avenue, Suite 2
Bozeman, MT 59718-6483

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

Bruneau, Karen
19575 Bear Valley Rd.
Apple Valley, CA 92308-5104

Attn: Noah Furie (noah@bfcloans.com)
Budget Finance Company (via email)
PO BOX 641339
Los Angeles, CA 90064-6339

Attn: Kirstie Wright
(Kirstie.Wright@associa.us)
Calico Lakes Homeowners Association (via
email)
11860 Pierce Street, Suite 100
Riverside, CA 92505-5178

Attn: Catalina Elias (celias@calportland.com)
CalPortland Company - Agriculture (via email)
P. O. Box 146
Oro Grande, CA 92368-0146

Attn: Myron Campbell II
Campbell, M. A. and Dianne
19327 Cliveden Ave
Carson, CA 90746-2716

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

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

Borja, Leonil T. and Tital L.
20784 Iris Canyon Road
Riverside, CA 92508-

Attn: Paul Johnson
Brown Family Trust Dated August 11, 1999
26776 Vista Road
Helendale, CA 92342-9789

Attn: Ian Bryant (irim@aol.com)
Bryant Family Trust dated May 9, 2007 (via
email)
15434 Sequoia Avenue - Office
Hesperia, CA 92345-1667

Bunnell, Dick
8589 Volga River Circle
Fountain Valley, CA 92708-5536

Attn: Donald Larson
(michael.lemke@dot.ca.gov;
Donald.Larson@dot.ca.gov)
California Department Of Transportation (via
email)
175 W. Cluster
San Bernardino, CA 92408-1310

Attn: Catalina Elias
(cfernandez@calportland.com)
CalPortland Company - Oro Grande Plant (via
email)
P. O. Box 146
Oro Grande, CA 92368-0146

Carlton, Susan
445 Via Colusa
Torrance, CA 90505-

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Denise Parra
Casa Colina Foundation
P.O. Box 1760
Lucerne Valley, CA 92356

Attn: Danielle Stewart
(danielle.stewart@wildlife.ca.gov;
Richard.Kim@wildlife.ca.gov;
Alisa.Ellsworth@wildlife.ca.gov)
CDFW - Camp Cady (via email)
4775 Bird Farm Road
Chino Hills, CA 91709-3175

Attn: San Bernardino Co Regional Parks
CDFW - Mojave Narrows Regional Park
268 W. Hospitality Lane, Suite 303
San Bernardino, CA 92408-3241

Attn: Paco Cabral
(paco.cabral@wildlife.ca.gov;
askregion6@wildlife.ca.gov;
aaron.johnson@wildlife.ca.gov)
CDFW - Mojave River Fish Hatchery (via
email)
12550 Jacaranda Avenue
Victorville, CA 92395-5183

Attn: Environmental
(valorie.moore@cemex.com)
Cemex, Inc. (via email)
16888 North E. Street
Victorville, CA 92394-2999

Attn: Jennifer Cutler
Center Water Company
P. O. Box 616
Lucerne Valley, CA 92356-0616

Attn: Nancy Ryman
Chamisal Mutual Water Company
P. O. Box 1444
Adelanto, CA 92301-2779

Attn: Carl Pugh (talk2betty@aol.com;
cpugh3@aol.com)
Cheyenne Lake, Inc. (via email)
44658 Valley Center Rd.
Newberry Springs, CA 92365-

(JohnChinm3@gmail.com)
Chin Family Life Estate Trust (via email)
15648 Meridian Road
Lucerne Valley, CA 92356-9008

Attn: Micahel Chisram
Chisram, et al.
414 S. Lincoln Ave.
Monterey Park, CA 91775-3323

Choi, Yong Il and Joung Ae
34424 Mountain View Road
Hinkley, CA 92347-9412

(joan.chong7@gmail.com;
joancksp@hotmail.com)
Chong, Joan (via email)
1054 N. Antonio Circle
Orange, CA 92869-1966

Christison, Joel
P. O. Box 2635
Big River, CA 92242-2635

Attn: Hwa-Yong Chung
Chung, et al.
11446 Midway Ave.
Lucerne Valley, CA 92356-8792

Clark, Arthur
P. O. Box 4513
Blue Jay, CA 92317-4513

Attn: Manoucher Sarbaz
Club View Partners
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671

Attn: Jaehwan Lee
Come Mission, Inc.
9965 Baker Road
Lucerne Valley, CA 92365-8490

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

Contratto, Ersula
13504 Choco Road
Apple Valley, CA 92308-4550

Attn: George Starke
Corbridge, Linda S.
8743 Vivero St
Rancho Cucamonga, CA 91730-

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

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

Attn: Alessia Morris
Crystal Lakes Property Owners Association
P. O. Box 351
Yermo, CA 92398-0351

Attn: Shanna Mitchell (daggettcsd@aol.com;
daggettcsd@outlook.com;
daggettwater427@gmail.com)
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: Aileen Yeung c/o Clearway Energy
(aileen.yeung@clearwayenergy.com)
Daggett Solar Power 3 LLC (via email)
1099 18th Street, Suite 2520
Denver, CO 80202-1908

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

Mojave Basin Area Watermaster Service List as of October 07, 2025

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

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

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

Attn: Penny Zaritsky
(pennyzaritsky2000@yahoo.com)
Desert Girlz LLC (via email)
P. O. Box 709
Lucerne Valley, CA 92356-0709

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

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

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

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

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

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

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

Dowell, Leonard
345 E Carson St.
Carson, CA 90745-2709

Evenson, Edwin H. and Joycelaine C.
P. O. Box 66
Oro Grande, CA 92368-0066

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

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

(purplebuny@juno.com)
Fejfar, Monica Kay (via email)
34080 Ord Street
Newberry Springs, CA 92365-9791

(wwcc0626@gmail.com)
Feng, Jinbao (via email)
33979 Fremont Road
Newberry Springs, CA 92365-9136

Ferro, Dennis and Norma
1311 1st Ave. N
Jacksonville Beach, FL 32250-3512

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

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

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

Attn: Paul Johnson
Fisher Trust, Jerome R.
7603 Hazeltine Ave
Van Nuys, CA 91405-1423

Attn: Richard Bruce Fitzwater
(rickfitzwater@gmail.com)
Fitzwater, Survivor's Trust (via email)
12372 E Parks Road
Athol, ID 83801-5362

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

(cfrates@renewablegroup.com)
Frates, D. Cole (via email)
RRG CM, 926 N Sycamore Ave Ste 725
Los Angeles, CA 90038-2382

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

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

Gabrych Family Trust dated October 9, 2007
2006 Old Highway 395
Fallbrook, CA 92028

Gabrych Family Trust dated October 9, 2007
2006 Old Highway 395
Fallbrook, CA 92028-8816

Gaeta, Miguel and Maria
9366 Joshua Avenue
Lucerne Valley, CA 92356-8273

Mojave Basin Area Watermaster Service List as of October 07, 2025

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

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

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

Garg, Om P.
530 Technology Drive, Suite 100
Irvine, CA 92618-1350

Attn: Brent Peterson
Gayjikian, Samuel and Hazel
34534 Granite Road
Lucerne Valley, CA 92356-

Attn: Jeffrey Edwards
(jedwards@fbremediation.com.)
GenOn California South, LP (via email)
P. O. Box 337
Daggett, CA 92327-0337

(Nereida.Gonzalez@gswater.com,
ana.chavez@gswater.com)
Golden State Water Company (via email)
160 Via Verde, Ste. 100
San Dimas, CA 91773-5121

Attn: Nereida Gonzalez
(ana.chavez@gswater.com,
Nereida.Gonzalez@gswater.com)
Golden State Water Company (via email)
160 Via Verde, Ste. 100
San Dimas, CA 91773-5121

Attn: Manoucher Sarbaz
Golf Investments LLC
9903 Santa Monica Blvd., #541
Beverly Hills, CA 90212-1606

Attn: Scot Gasper
Gordon Acres Water Company
P. O. Box 1035
Lucerne Valley, CA 92356-1035

Gray, George F. and Betty E.
975 Bryant
Calimesa, CA 92320-1301

Attn: Brian E. Bolin
Green Acres Estates
P. O. Box 29
Apple Valley, CA 92307-0001

Attn: Eric Archibek
Green Hay Packers LLC
41717 Silver Valley Road
Newberry Springs, CA 92365-9517

Attn: Nick Grill (Nick.terawatt@gmail.com)
Grill, Nicholas P. and Millie D. (via email)
35350 Mountain View Rd
Hinkley, CA 92347-9613

Gubler, Hans
P. O. Box 3100
Landers, CA 92285

Attn: Tamara J Skoglund
(TamaraMcKenzie@aol.com)
Gulbranson, Merlin (via email)
511 Minnesota Ave W
Gilbert, MN 55741-

Gutierrez, Jose and Gloria
24116 Santa Fe
Hinkley, CA 92347

Attn: Bryan C. Haas and Mary H. Hinkle
(resrvc4you@aol.com)
Haas, Bryan C. and Hinkle, Mary H. (via email)
14730 Tigertail Road
Apple Valley, CA 92307-5249

Attn: Edward E. Hackbarth
(hackbarthoffice@gmail.com)
Hackbarth, Edward E. (via email)
13312 Ranchero Rd STE 241
Oak Hills, CA 92344-4812

Attn: Doug and Cheryl Hamilton
Hamilton Family Trust
19945 Round Up Way
Apple Valley, CA 92308-8338

(hammackhay@gmail.com)
Hammack, Mitchell (via email)
34650 Minneola Road
Newberry Springs, CA 92365-9146

Attn: William Handrinos
Handrinos, Nicole A.
1140 Parkdale Rd.
Adelanto, CA 92301-9308

Hang, Phu Quang
645 S. Shasta Street
West Covina, CA 91791-2818

Attn: Donald F. Hanify
Hanify, Michael D., dba - White Bear Ranch
PO BOX 1021
Yermo, CA 92398-1021

Attn: Matt Wood
(Matthew.wood@martinmarietta.com)
Hanson Aggregates WRP, Inc. (via email)
P. O. Box 1115
Corona, CA 92878-1115

Attn: Mary Jane Hareson
Hareson, Nicholas and Mary
1737 Anza Avenue
Vista, CA 92084-3236

Attn: Kenny Harmsen (harmsewcow@aol.com)
Harmsen Family Trust (via email)
23920 Community Blvd.
Hinkley, CA 92347-9721

Harter, Joe and Sue
10902 Swan Lake Road
Klamath Falls, OR 97603-9676

(harvey1.92356@gmail.com)
Harvey, Lisa M. (via email)
P. O. Box 1187
Lucerne Valley, CA 92356-

Haskins, James J.
11352 Hesperia Road, #2
Hesperia, CA 92345-2165

Mojave Basin Area Watermaster Service List as of October 07, 2025

Hass, Pauline L.
P. O. Box 273
Newberry Springs, CA 92365-

Attn: Craig Carlson (kcox@helendalecsd.org;
ccarlson@helendalecsd.org)
Helendale Community Services District (via
email)
P. O. Box 359
Helendale, CA 92342-0359

Attn: Joshua Maze
Helendale School District
P. O. Box 249
Helendale, CA 92342-0249

Attn: Jeff Gallistel
Hendley, Rick and Barbara
P. O. Box 972
Yermo, CA 92398-0972

Hensley, Mark P.
35523 Mountain View Rd
Hinkley, CA 92347-9613

Attn: Jeremy McDonald
(jmcDonald@cityofhesperia.us)
Hesperia - Golf Course, City of (via email)
9700 Seventh Avenue
Hesperia, CA 92345-3493

Attn: Janie Martinez
(janiemartines@gmail.com)
Hesperia Venture I, LLC (via email)
10 Western Road
Wheatland, WY 82201-8936

Attn: Jeremy McDonald
(jmcDonald@cityofhesperia.us)
Hesperia Water District (via email)
9700 7th Avenue
Hesperia, CA 92345-3493

Attn: Jeremy McDonald
(tsouza@cityofhesperia.us)
Hesperia, City of (via email)
9700 Seventh Avenue
Hesperia, CA 92345-3493

Attn: Carabeth Carter ()
Hettinga Revocable Trust (via email)
P. O. Box 455
Ehrenberg, AZ 85334-0455

Attn: Lisset Sardeson
Hi Desert Mutual Water Company
23667 Gazana Street
Barstow, CA 92311

(leehiett@hotmail.com)
Hiett, Harry L. (via email)
P. O. Box 272
Daggett, CA 92327-0272

Attn: Robert W. Bowcock
High Desert Associates, Inc.
405 North Indian Hill Blvd.
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
Hesperia, CA 92345-4902

Attn: Frank Hilarides
Hilarides 1998 Revocable Family Trust
37404 Harvard Road
Newberry Springs, CA 92365

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

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

Ho, Ting-Seng and Ah-Git
P.O. Box 20001
Bakersfield, CA 93390-0001

Attn: Joan Rohrer
Hollister, Robert H. and Ruth M.
22832 Buendia
Mission Viejo, CA 92691-

Holway, Jeffrey R
1401 Wewatta St. #1105
Denver, CO 80202-1348

Attn: Weiya Noble
Holy Heavenly Lake, LLC
10111 Choicena Avenue
Hesperia, CA 92345-5361

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
Astoria, OR 97103-8248

Attn: Ralph Hunt
Hunt, Ralph M. and Lillian F.
P. O. Box 603
Yermo, CA 92398-0603

Attn: Brenda Hyatt
(calivolunteer@verizon.net)
Hyatt, James and Brenda (via email)
31726 Fremont Road
Newberry Springs, CA 92365

Mojave Basin Area Watermaster Service List as of October 07, 2025

Irvin, Bertrand W.
3224 West 111th Street
Inglewood, CA 90303-

Attn: James Jackson Jr.
Jackson, James N. Jr Revocable Living Trust
1245 S. Arlington Avenue
Los Angeles, CA 90019-3517

Attn: Lawrence Dean (ldean28296@aol.com)
Jackson, Ray Revocable Trust No. 45801 (via email)
P.O. Box 8250
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: Tomas Janovsky
(tomjanovsky@yahoo.com)
Janovsky Revocable Trust No. 1 (via email)
17241 Bullock Street
Encino, CA 91316-1437

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

Attn: Cynthia Mahoney
(cyndisue87@yahoo.com)
Johnson, Carlean F. Trust Dated 10/29/2004
(via email)
8626 Deep Creek Road
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.
P. O. Box 401472
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
Barstow, CA 92311-2057

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

Attn: Jilin Xiao
Jujube Valley Farm, Inc.
19 Pemberly
Irvine, CA 92603-3452

Attn: Daniel Smith (dsmith@jrcwd.org)
Juniper Riviera County Water District (via email)
P.O. Box 618
Lucerne Valley, CA 92356-0618

Attn: Ash Karimi
Karimi, Hooshang
1254 Holmby Ave
Los Angeles, CA 90024-

Attn: Robert R. Kasner
(Robertkasner@aol.com)
Kasner Family Limited Partnership (via email)
11584 East End Avenue
Chino, CA 91710-

(Robertkasner@aol.com)
Kasner, Robert (via email)
11584 East End Avenue
Chino, CA 91710-1555

Attn: Martin A and Mercedes Katcher
Katcher, August M. and Marceline
12928 Hyperion Lane
Apple Valley, CA 92308-4565

Kemp, Robert and Rose
48441 National Trails Highway
Newberry Springs, CA 92365

Attn: Peggy Shaughnessy
Kemper Campbell Ranch
10 Kemper Campbell Ranch Road - Office
Victorville, CA 92395-3357

Kim, Jin S. and Hyun H.
419 Sara Jane Ln
Placentia, CA 92870-5137

Attn: Alan and Annette De Jong
Kim, Joon Ho and Mal Boon Revocable Trust
46561 Fairview Road
Newberry Springs, CA 92365-9230

(juskim67@yahoo.com)
Kim, Ju Sang (via email)
1225 Crestview Dr
Fullerton, CA 92833-2206

Kim, Seon Ja
34981 Piute Road
Newberry Springs, CA 92365-9548

Attn: Richard Koering
Koering, Richard and Koering, Donna
40909 Mountain View Road
Newberry Springs, CA 92365-9414

Attn: Catherine Cerri
(ccerri@lakearrowheadcsd.com)
Lake Arrowhead Community Services District
(via email)
P. O. Box 700
Lake Arrowhead, CA 92352-0700

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Claire Cabrey
(HandleWithClaire@aol.com;
mike@jaynes.net)
Lake Jodie Property Owners Association (via email)
8581 Santa Monica Blvd., #18
West Hollywood, CA 90069-4120

(PhillipLam99@Yahoo.com)
Lam, Phillip (via email)
864 Sapphire Court
Pomona, CA 91766-5171

Attn: Robert Lawrence Jr.
Lawrence, William W.
P. O. Box 98
Newberry Springs, CA 92365

Lee, Doo Hwan
P. O. Box 556
Lucerne Valley, CA 92356-0556

Lenhert, Ronald and Toni
4474 W. Cheyenne Drive
Eloy, AZ 85131-3410

Attn: Michael Reese
(Michael.Reese@libertyutilities.com)
Liberty Utilities (Apple Valley Ranchos Water) Corp. (via email)
P. O. Box 7005
Apple Valley, CA 92307

Attn: Neal Davies (ndavies@terra-gen.com;
dkelly@terra-gen.com)
Lockhart Land Holding, LLC (via email)
43880 Harper Lake Road
Hinkley, CA 92347-

Lua, Michael T. and Donna S.
18838 Aldridge Place
Rowland Heights, CA 91748-4890

Attn: Manoucher Sarbaz
Lucerne Valley Partners
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671

Attn: Nancy Lan
Lake Waikiki
230 Hillcrest Drive
La Puente, CA 91744-4816

(jlangley@kurschgroup.com)
Langley, James (via email)
12277 Apple Valley Road, Ste. #120
Apple Valley, CA 92308-1701

Lawson, Ernest and Barbara
20277 Rock Springs Road
Apple Valley, CA 92308-8740

Attn: Sepoong & Woo Poong Lee
Lee, et al., Sepoong and Woo Poong
#6 Ensueno East
Irvine, CA 92620-

Attn: Brad Francke
LHC Alligator, LLC
P. O. Box 670
Upland, CA 91785-0670

Attn: James Lin
Lin, Kuan Jung and Chung, Der-Bing
2026 Turnball Canyon
Hacienda Heights, CA 91745-

Attn: Patricia Miranda
Lopez, Baltazar
12318 Post Office Rd
Lucerne Valley, CA 92356-

Attn: Parviz Omidvar
(pomidvar@roadrunner.com)
Lucerne Valley 26, LLC (via email)
8383 Wilshire Blvd., Suite 943
Beverly Hills, CA 90211-2411

Attn: Sherri Brown
Lucerne Vista Mutual Water Company
P. O. Box 677
Lucerne Valley, CA 92356-0677

Attn: Timothy Rohm (ljm9252@aol.com;
timrohmbuilding@gmail.com)
Lake Wainani Owners Association (via email)
2812 Walnut Avenue, Suite A
Tustin, CA 92780-7053

Attn: Vanessa Laosy
Lavanh, et al.
18203 Yucca St.
Hesperia, CA 92345-

Attn: Anna K. Lee (aklee219@gmail.com)
Lee, Anna K. and Eshban K. (via email)
10979 Satsuma St
Loma Linda, CA 92354-6113

Lee, Vin Jang T.
42727 Holcomb Trl
Newberry Springs, CA 92365

Attn: Billy Liang
Liang, Yuan - I and Tzu - Mei Chen
4192 Biscayne St
Chino, CA 91710-3196

Attn: Manshan Gan
Lo, et al.
5535 N Muscatel Ave
San Gabriel, CA 91776-1724

Attn: Dean Low (lowgo.dean@gmail.com)
Low, Dean (via email)
3 Panther Creek Ct.
Henderson, NV 89052-

Attn: Gwen L. Bedics
Lucerne Valley Mutual Water Company
P. O. Box 1311
Lucerne Valley, CA 92356

Attn: Eugene R. & Vickie R. Bird
M Bird Construction
1613 State Street, Ste. 10
Barstow, CA 92311-4162

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Maria Martinez
M.B. Landscaping and Nursery, Inc.
6831 Lime Avenue
Long Beach, CA 90805-1423

Attn: Robert Saidi
Mahjoubi, Afsar S.
46622 Fairview Road
Newberry Springs, CA 92365

Manning, Sharon S.
19332 Balan Road
Rowland Heights, CA 91748-4017

Attn: Allen Marcroft
Marcroft, James A. and Joan
P. O. Box 519
Newberry Springs, CA 92365

Attn: James M. Hansen, Jr. (gm@mrcwd.org;
gmmrcwd@gmail.com)
Mariana Ranchos County Water District (via
email)
9600 Manzanita Street
Apple Valley, CA 92308-8605

Markley, Carmen and Price, Aric
PO Box 1407
Barstow, CA 92312-1407

Marshall, Charles
32455 Lakeview Road
Newberry Springs, CA 92365-9482

Martin, Michael D. and Arlene D.
32942 Paseo Mira Flores
San Juan Capistrano, CA 92675

Attn: Rod Sexton
McCollum, Charles L.
15074 Spruce St
Hesperia, CA 92345-2950

McKinney, Paula
144 East 72nd
Tacoma, WA 98404-1060

Attn: Olivia L. Mead
Mead Family Trust
31314 Clay River Road
Barstow, CA 92311-2057

Attn: David I. Milbrat
Milbrat, Irving H.
P. O. Box 487
Newberry Springs, CA 92365-0487

Attn: Donna Miller
Miller Living Trust
6124 Parsonage Circle
Milton, FL 32570-8930

Attn: Freddy Garmo (freddy@garmolaw.com)
Minn15 LLC (via email)
5464 Grossmont Center Drive, #300
La Mesa, CA 91942-3035

Attn: Michael Meinen
(michael.meinen@mitsubishicement.com)
Mitsubishi Cement Corporation (via email)
5808 State Highway 18
Lucerne Valley, CA 92356-8179

Attn: Philip Mizrahie
Mizrahie, et al.
4105 W. Jefferson Blvd.
Los Angeles, CA 90016-4124

Attn: Thomas A. Hrubik (tahgolf@aol.com)
MLH, LLC (via email)
P. O. Box 2611
Apple Valley, CA 92307-0049

Attn: Janie Thai (mlkj8888llc@gmail.com)
MLKJ8888 LLC (via email)
300 W Valley Blvd, #1933
Alhambra, CA 91803-3333

Attn: Sarah Bliss
Mojave Desert Land Trust
60124 29 Palms Highway
Joshua Tree, CA 92252-4130

Attn: Mahnaz Ghamati
(mahnaz.ghamati@atlantica.com)
Mojave Solar, LLC (via email)
42134 Harper Lake Road
Hinkley, CA 92347-9305

Attn: Doug Kerns
(aanabtawi@mojavewater.org)
Mojave Water Agency (via email)
13846 Conference Center Drive
Apple Valley, CA 92307-4377

Attn: Doug Kerns
(tmccarthy@mojavewater.org)
Mojave Water Agency (via email)
13846 Conference Center Drive
Apple Valley, CA 92307-4377

Attn: Manoucher Sarbaz
Monaco Investment Company
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671

Attn: Ken Elliot (Billie@ElliotPlace.com)
Morris Trust, Julia V. (via email)
7649 Cypress Dr.
Lanexa, VA 23089-9320

Moss, Lawrence W. and Helen J.
38338 Old Woman Springs Road Spc# 56
Lucerne Valley, CA 92356-8116

Attn: Bradford Ray Most
Most Family Trust
39 Sundance Circle
Durango, CO 81303-8131

Attn: Dennis Hills
Mulligan, Robert and Inez
35575 Jakobi Street
Saint Helens, OR 97051-1194

Murphy, Jean
46126 Old National Trails Highway
Newberry Springs, CA 92365-9025

(z.music5909@gmail.com;
zajomusic@gmail.com)
Music, Zajo (via email)
43830 Cottonwood Rd
Newberry Springs, CA 92365-8510

Attn: James Hansen
(gm@marianaranchoscwd.org)
Navajo Mutual Water Company (via email)
21724 Hercules St.
Apple Valley, CA 92308-8490

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Billy Liang (flossdaily@hotmail.com;
asaliking@yahoo.com)
New Springs Limited Partnership (via email)
4192 Biscayne St.
Chino, CA 91710-3196

Attn: Jodi Howard
Newberry Community Services District
P. O. Box 220
Newberry Springs, CA 92365-0220

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

Attn: Mary Ann Norris
Norris Trust, Mary Ann
29611 Exeter Street
Lucerne Valley, CA 92356-8261

Attn: Kenton Eatherton
(keatherton@verizon.net)
NSSLIC, Inc. (via email)
9876 Moon River Circle
Fountain Valley, CA 92708-7312

Núñez, Luis Segundo
9154 Golden Seal Court
Hesperia, CA 92345-0197

Attn: Pearl or Gail Nunn
Nunn Family Trust
P. O. Box 2651
Apple Valley, CA 92307-0010

Attn: Jeff Gaastra (jeffgaastra@gmail.com;
andy@seesmachine.com;
bbswift4044@cox.net)
O. F. D. L., Inc. (via email)
32935 Dune Road, #10
Newberry Springs, CA 92365-9175

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

Attn: Dorothy Ohai
Ohai, Reynolds and Dorothy
13450 Monte Vista
Chino, CA 91710-5149

Attn: Craig Maetzold
(craig.maetzold@omya.com)
Omya California, Inc. (via email)
7225 Crystal Creek Rd
Lucerne Valley, CA 92356-8646

Attn: John P. Oostdam
Oostdam Family Trust, John P. and Margie K.
24953 Three Springs Road
Hemet, CA 92545-2246

Attn: Nick Higgs
Oro Grande School District
P. O. Box 386
Oro Grande, CA 92368-0386

Attn: Taghi Shoraka
P and H Engineering and Development
Corporation
1423 South Beverly Glen Blvd. Apt. A
Los Angeles, CA 90024-6171

Attn: Jessica Balders (J4Dx@pge.com)
Pacific Gas and Electric Company (via email)
22999 Community Blvd
Hinkley, CA 92347-9592

Pak, Kae Soo and Myong Hui Kang
P. O. Box 1835
Lucerne Valley, CA 92356-1835

Patino, José
3914 W. 105th Street
Inglewood, CA 90303-1815

(wndrvr@aol.com)
Paustell, Joan Beinschroth (via email)
10275 Mockingbird Ave.
Apple Valley, CA 92308-8303

Pearce, Craig L.
127 Columbus Dr
Punxsutawney, PA 15767-1270

Perko, Bert K.
P. O. Box 762
Yermo, CA 92398-0762

Pettigrew, Dan
285 N Old Hill Road
Fallbrook, CA 92028-2571

Attn: Sean Wright (swright@pphcsd.org;
dbartz@pphcsd.org; llowrance@pphcsd.org)
Phelan Piñon Hills Community Services
District (via email)
4176 Warbler Road
Phelan, CA 92371-8819

Attn: John Poland
Poland, John R. and Kathleen A.
778 23rd St SW
Loveland, CO 80537-7200

Porter, Timothy M.
34673 Little Dirt Road
Newberry Springs, CA 92365-9646

Attn: Carin McKay
Precision Investments Services, LLC
791 Price Street, #160
Pismo Beach, CA 93449-2529

Pruett, Andrea
P. O. Box 37
Newberry Springs, CA 92365

(s_quakenbush@yahoo.com)
Quakenbush, Samuel R. (via email)
236 Iris Drive
Martinsburg, WV 25404-1338

Attn: Ron Herrmann
Quiros, Francisco J. and Herrmann, Ronald
35969 Newberry Rd
Newberry Springs, CA 92365-9438

Attn: Elizabeth Murena
(waterboy7F8@msn.com; etminav@aol.com)
Rancheritos Mutual Water Company (via
email)
P. O. Box 348
Apple Valley, CA 92307

Attn: Michael A. Reed
Reed, Mike
105 R C Smith Lane
Barbourville, KY 40906-7119

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Brian C. Vail (bvail@river-west.com)
Reido Farms, LLC (via email)
2410 Fair Oaks Blvd., Suite 110
Sacramento, CA 95825-7666

(LucerneJujubeFarm@hotmail.com)
Rhee, Andrew N. (via email)
11717 Fairlane Rd, #989
Lucerne Valley, CA 92356-8829

Attn: Kelly Rice
Rice, Henry C. and Diana
31823 Fort Cady Rd.
Newberry Springs, CA 92365-

Attn: Josie Rios
Rios, Mariano V.
P. O. Box 1864
Barstow, CA 92312-1864

Rivero, Fidel V.
612 Wellesley Drive
Corona, CA 92879-0825

(RayRizvi@Yahoo.com)
Rizvi, S.R Ali (via email)
4054 Allyson Terrace
Freemont, CA 94538-4186

Attn: Jackie McEvoy (billt@rrmca.com)
Robertson's Ready Mix (via email)
P.O. Box 3600
Corona, CA 92878-3600

Attn: Jackie McEvoy (billt@rrmca.com)
Robertson's Ready Mix (via email)
PO Box 3600
Corona, CA 92878-3600

Attn: Susan Sommers (sommerssqz@aol.com)
Rossi Family Trust, James Lawrence Rossi
and Naomi (via email)
P. O. Box 120
Templeton, CA 93465-0120

Attn: Robert Vega
Royal Way
2632 Wilshire Blvd., #480
Santa Monica, CA 90403-4623

Attn: Sam Marich
Rue Ranch, Inc.
42704 Edelweiss Drive
Big Bear Lake, CA 92315-2074

Attn: Dale W. Ruisch
Ruisch Trust, Dale W. and Nellie H.
10807 Green Valley Road
Apple Valley, CA 92308-3690

Attn: Taghi Shoraka
S and B Brothers, LLC
1423 S. Beverly Glen Blvd., Ste. A
Los Angeles, CA 90024-6171

Attn: Jafar Rashid
(jr123realestate@gmail.com)
S and E 786 Enterprises, LLC (via email)
3300 S. La Cienega Blvd.
Los Angeles, CA 90016-3115

Attn: Kanoe Barker
(kanoebarker@yahoo.com)
Sagabeen-Barker, Kanoeolokelani L. (via
email)
42224 Valley Center Rd
Newberry Springs, CA 92365

(BILLU711@Yahoo.com)
Samra, Jagtar S. (via email)
10415 Edgebrook Way
Northridge, CA 91326-3952

San Bernardino Co Barstow - Daggett Airport
268 W. Hospitality Lane, Suite 302
San Bernardino, CA 92415-0831

Attn: Jared Beyeler
(waterquality@sdd.sbcounty.gov)
San Bernardino County - High Desert
Detention Center (via email)
222 W. Hospitality Lane, 2nd Floor - SDW
San Bernardino, CA 92415-0415

(trevor.leja@sdd.sbcounty.gov)
San Bernardino County Service Area 29 (via
email)
222 W. Hospitality Lane, 2nd Floor (Spec
San Bernardino, CA 92415-0450

Attn: Jared Beyeler
(jbeyeler@sdd.sbcounty.gov;
waterquality@sdd.sbcounty.gov)
San Bernardino County Service Area 42 (via
email)
222 W. Hospitality Lane, 2nd Floor - SDW
San Bernardino, CA 92415-0450

Attn: Jared Beyeler
(ssamaras@sdd.sbcounty.gov;
jbeyeler@sdd.sbcounty.gov;
waterquality@sdd.sbcounty.gov)
San Bernardino County Service Area 64 (via
email)
222 W. Hospitality Lane, 2nd Floor - SDW
San Bernardino, CA 92415-0450

Attn: Jared Beyeler
(ssamaras@sdd.sbcounty.gov;
jbeyeler@sdd.sbcounty.gov;
waterquality@sdd.sbcounty.gov)
San Bernardino County Service Area 70J (via
email)
222 W. Hospitality Lane, 2nd Floor - SDW
San Bernardino, CA 92415-0450

Attn: Michelle Scray (mcscray@gmail.com)
Scray, Michelle A. Trust (via email)
16869 State Highway 173
Hesperia, CA 92345-9381

Attn: Rod Sexton
Sexton, Rodney A. and Sexton, Derek R.
P.O. Box 155
Rim Forest, CA 92378-

Attn: Joseph Tapia
Sheep Creek Water Company
P. O. Box 291820
Phelan, CA 92329-1820

Sheng, Jen
5349 S Sir Richard Dr
Las Vegas, NV 89110-0100

Attn: Dan Sheppard
(gloriasheppard14@gmail.com)
Sheppard, Thomas and Gloria (via email)
11806 Preston St.
Grand Terrace, CA 92313-5231

Mojave Basin Area Watermaster Service List as of October 07, 2025

Short, Jerome E.
P. O. Box 1104
Barstow, CA 92312-1104

Attn: Carlos Banuelos
(maint@silverlakesassociation.com;
fibarra@silverlakesassociation.com)
Silver Lakes Association (via email)
P. O. Box 179
Helendale, CA 92342-0179

Attn: Nepal Singh (NepalSingh@yahoo.com)
Singh, et al. (via email)
4972 Yearling Avenue
Irvine, CA 92604-2956

Attn: Denise Smith (ddgogo72@yahoo.com)
Smith, Denise dba Amerequine Beauty, Inc
(via email)
13313 Newmire Ave.
Norwalk, CA 90650-2168

Smith, Porter and Anita
8443 Torrell Way
San Diego, CA 92126-1254

Attn: Steve Kim (stevekim1026@gmail.com)
Snowball Development, Inc. (via email)
P. O. Box 2926
Victorville, CA 92393-2926

Attn: Chan Kyun Son
Son's Ranch
P. O. Box 1767
Lucerne Valley, CA 92356

Attn: Erika Clement
(Shannon.Oldenburg@SCE.com;
erika.clement@sce.com)
Southern California Edison Company (via
email)
2 Innovation Way, 2nd Floor
Pomona, CA 91768-2560

Attn: Jose Garcia
(jose.garcia@mineralstech.com)
Specialty Minerals, Inc. (via email)
P. O. Box 558
Lucerne Valley, CA 92356-0558

Sperry, Wesley
P. O. Box 303
Newberry Springs, CA 92365-0303

Spillman, James R. and Nancy J.
12132 Wilshire
Lucerne Valley, CA 92356-8834

Attn: Eric Miller (emiller@svla.com;
alogan@svla.com;)
Spring Valley Lake Association (via email)
SVL Box 7001
Victorville, CA 92395-5107

Attn: Joe Trombino
Spring Valley Lake Country Club
7070 SVL Box
Victorville, CA 92395-5152

Attn: Father Sarapamon
St. Antony Coptic Orthodox Monastery
P. O. Box 100
Barstow, CA 92311-0100

(chiefgs@verizon.net)
Starke, George A. and Jayne E. (via email)
8743 Vivero Street
Rancho Cucamonga, CA 91730-1152

Storm, Randall
51432 130th Street
Byars, OK 74831-7357

Sudmeier, Glenn W.
14253 Highway 138
Hesperia, CA 92345-9422

Attn: Alexandra Lioanag
(sandra@halannagroup.com)
Summit Valley Ranch, LLC (via email)
220 Montgomery Street, Suite PH-10
San Francisco, CA 94104-3433

Attn: Alex Vienna
Sundown Lakes, Inc.
535 Tremont Ave, Apartment 1
Long Beach, CA 90814-6367

Attn: Stephen H. Douglas
(sdouglas@centaurusenergy.com;
mdoublesin@centcap.net;
cre.notices@clenera.com)
Sunray Land Company, LLC (via email)
1717 West Loop South, Suite 1800
Houston, TX 77027-3049

Attn: Venny Vasquez (lbaroldi@synagro.com)
Synagro-WWT, Inc. (dba Nursury Products,
LLC) (via email)
P. O. Box 1439
Helendale, CA 92342-

Attn: Russell Szykowski
Szykowski, Ruth J.
46750 Riverside Rd.
Newberry Springs, CA 92365-9738

Attn: Bill and Elizabeth Tallakson
(billtallakson@sbcglobal.net)
Tallakson Family Revocable Trust (via email)
11100 Alto Drive
Oak View, CA 93022-9535

Tapie, Raymond L.
73270 Desert Greens Dr N
Palm Desert, CA 92260-1206

Taylor, Sharon L.
14141 State Hwy 138
Hesperia, CA 92345-9339

(jerryteisan@gmail.com)
Teisan, Jerry (via email)
P. O. Box 2089
Befair, WA 98528-2089

Attn: John Henry Tellez
(JohnnyMelissaTellez@gmail.com)
Tellez, et al. (via email)
43774 Cottonwood Road
Newberry Springs, CA 92365-9277

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Daryl or Lucinda Lazenby
Thayer, Sharon
P. O. Box 845
Lucerne Valley, CA 92356-

Attn: Stephen Thomas
Thomas, Stephen and Lori
4890 Topanga Canyon Bl.
Woodland Hills, CA 91364-4229

Attn: Lynnette L. Thompson
Thompson Living Trust, James A. and Sula B.
22815 Del Oro Road
Apple Valley, CA 92308

Attn: Rodger Thompson
Thompson Living Trust, R.L. and R.A.
9141 Deep Creek Road
Apple Valley, CA 92308-8351

Thrasher, Gary
14024 Sunflower Lane
Oro Grande, CA 92368-9617

Attn: Doug Heinrichs
(gm@thunderbirdcwg.org;
office@thunderbirdcwg.org)
Thunderbird County Water District (via email)
P. O. Box 1105
Apple Valley, CA 92307-1105

Attn: Jim Hoover
Triple H Partnership
35870 Fir Ave
Yucaipa, CA 92399-9635

Attn: Mike Troeger (mjtroege@yahoo.com)
Troeger Family Trust, Richard H. (via email)
P. O. Box 24
Wrightwood, CA 92397

Turner, Terry
PO Box 881
Peach Springs, AZ 86434-0881

Attn: Aurelio Ibarra (aibarra@up.com;
powen@up.com)
Union Pacific Railroad Company (via email)
HC1 Box 33
Kelso, CA 92309-

(druppall@aicdent.com)
Uppal, Gagan (via email)
220 S Owens Drive
Anaheim, CA 92808-1327

(gagevaage23@gmail.com)
Vaage, Gage V. (via email)
47150 Black Butte Road
Newberry Springs, CA 92365-9698

Vaca, Andy and Teresita S.
5550 Avenue Juan Bautista
Riverside, CA 92509-5613

Attn: Dean Van Bastelaar
Van Bastelaar, Alphonse
45475 Martin Road
Newberry Springs, CA 92365-9625

Attn: Glen and Jennifer Van Dam
(gvandam@verizon.net)
Van Dam Family Trust, Glen and Jennifer (via email)
3190 Cottonwood Avenue
San Jacinto, CA 92582-4741

Attn: Jacob Bootsma
Van Leeuwen Trust, John A. and Ietie
44128 Silver Valley Road
Newberry Springs, CA 92365-9588

Attn: John Driscoll
Vernola Trust, Pat and Mary Ann
P. O. Box 2190
Temecula, CA 92593-2190

Attn: Eric Vreeman
Victor Valley Community College District
18422 Bear Valley Road, Bldg 10
Victorville, CA 92395-5850

Attn: Jade Kiphen
Victor Valley Memorial Park
17150 C Street
Victorville, CA 92395-3330

Attn: Arnold Villarreal
(avillarreal@victorvilleca.gov;
ccun@victorvilleca.gov)
Victorville Water District, ID#1 (via email)
P. O. Box 5001
Victorville, CA 92393-5001

Attn: Arnold Villarreal
(avillarreal@victorvilleca.gov;
kmetzler@victorvilleca.gov;
snawaz@victorvilleca.gov)
Victorville Water District, ID#1 (via email)
P. O. Box 5001
Victorville, CA 92393-5001

Attn: Arnold Villarreal
(sashton@victorvilleca.gov;
avillarreal@victorvilleca.gov;
dmathews@victorvilleca.gov)
Victorville Water District, ID#2 (via email)
PO Box 5001
Victorville, CA 92393-5001

Vogler, Albert H.
17612 Danbury Ave.
Hesperia, CA 92345-7073

Attn: Joan Wagner
Wagner Living Trust
22530 Calvert Street
Woodland Hills, CA 91367-1704

Attn: Christian Joseph Wakula
Wakula Family Trust
11741 Ardis Drive
Garden Grove, CA 92841-2423

(Jlow3367@gmail.com)
Wang, Steven (via email)
2551 Paljay Avenue
Rosemead, CA 91770-3204

Ward, Raymond
P. O. Box 358
Newberry Springs, CA 92365-0358

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Alicia Weems
Weems, Lizzie
4418 Stephanie Park Ln
Conroe, TX 77304-2990

Weeraisinghe, Maithri N.
P. O. Box 487
Barstow, CA 92312-0487

(andrewwerner11@gmail.com)
Werner, Andrew J. (via email)
1718 N Sierra Bonita Ave
Los Angeles, CA 90046-2231

Attn: Cindy Sacks
West End Mutual Water Company
P. O. Box 1732
Lucerne Valley, CA 92356

West, Howard and Suzy
9185 Loma Vista Road
Apple Valley, CA 92308-0557

West, Jimmie E.
P. O. Box 98
Oro Grande, CA 92368-0098

Attn: Nick Gatti ()
Western Development and Storage, LLC (via email)
5701 Truxtun Avenue, Ste. 201
Bakersfield, CA 93309-0402

Attn: Chung Cho Gong
Western Horizon Associates, Inc.
P. O. Box 397
Five Points, CA 93624-0397

Attn: Genaro Zapata
Westland Industries, Inc.
520 W. Willow St.
Long Beach, CA 90806-2800

Attn: Thomas G. Ferruzzo
(tferruzzo@ferruzzo.com)
Wet Set, Inc. (via email)
44505 Silver Valley Road, Lot #05
Newberry Springs, CA 92365-9565

Wiener, Melvin and Mariam S.
1626 N. Wilcox Avenue
Los Angeles, CA 90028-6234

Attn: Manoucher Sarbaz
Wilshire Road Partners
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671

Attn: Connie Tapie
(praisethelord7777@yahoo.com)
Withey, Connie (via email)
P. O. Box 3513
Victorville, CA 92393-3513

Witte, E. Daniel and Marcia
31911 Martino Drive
Daggett, CA 92327-9752

Attn: Geoffrey Schmid
WLSR, Inc.
12678 Cabezon Place
San Diego, CA 92129-

Attn: David A. Worsey
Worsey, Joseph A. and Revae
P. O. Box 422
Newberry Springs, CA 92365-0422

(thechelseaco@yahoo.com)
Yang, Zilan (via email)
428 S. Atlantic Blvd #205
Monterey Park, CA 91754-3228

Attn: Christine M. Carson, Esq.
(ccarson@awattorneys.com)
Aleshire & Wynder, LLP (via email)
3880 Lemon Street
Suite 520
Riverside, CA 92501-

Attn: Robert Hensley, Esq.
(rhensley@awattorneys.com)
Aleshire & Wynder, LLP (via email)
3880 Lemon Street
Suite 520
Riverside, CA 92501-

Attn: Pam Lee, Esq. (plee@awattorneys.com)
Aleshire & Wynder, LLP (via email)
3880 Lemon Street
Suite 520
Riverside, CA 92501-

Attn: Alison Paap (apaap@agloan.com)
American AgCredit (via email)
42429 Winchester Road
Temecula, CA 92590-2504

Attn: Wesley A. Miliband, Esq.
(wes.miliband@mwaterlaw.com)
Atkinson, Andelson, Loya, Ruud & Romo (via email)
2151 River Plaza Drive
Suite 300
Sacramento, CA 95833-

Attn: W.W. Miller, Esq. (bmiller@aallr.com)
Atkinson, Andelson, Loya-Ruud & Romo (via email)
3612 Mission Inn Avenue, Upper Level
Riverside, CA 92501

Attn: Christopher L. Campbell, Esq.
Baker, Manock & Jensen
5260 N. Palm Avenue, 4th Floor
Fresno, CA 93704-2209

Attn: Christopher Pisano, Esq.
(christopher.pisano@bbklaw.com)
Best, Best & Krieger LLP (via email)
300 South Grand Avenue
25th Floor
Los Angeles, CA 90071

Attn: Aloson Toivola, Esq.
(alison.toivola@bbklaw.com)
Best, Best & Krieger LLP (via email)
300 South Grand Avenue
25th Floor
Los Angeles, CA 90071

Attn: Piero C. Dallarda, Esq.
(piero.dallarda@bbklaw.com)
Best, Best & Krieger LLP (via email)
P.O. Box 1028
Riverside, CA 92502-

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Eric L. Garner, Esq.
(eric.garner@bbklaw.com)
Best, Best & Krieger LLP (via email)
3750 University Avenue
3rd Floor
Riverside, CA 92502-1028

Attn: William J. Brunick, Esq.
(bbrunick@bmklawplc.com)
Brunick, McElhaney & Kennedy PLC (via email)
1839 Commercenter West
P.O. Box 13130
San Bernardino, CA 92423-3130

Attn: Alexander Devorkin, Esq.
California Department of Transportation
100 South Main Street, Suite 1300
Los Angeles, CA 90012-3702

Attn: Matthew T. Summers, Esq.
(msummers@chwlw.us)
Colantuono, Highsmith & Whatley, PC (via email)
790 E. Colorado Blvd., Suite 850
Pasadena, CA 91101-2109

Attn: Robert E. Dougherty, Esq.
Covington & Crowe
1131 West 6th Street
Suite 300
Ontario, CA 91762

Attn: Marilyn Levin, Dep
Department of Justice
300 S. Spring Street, Suite 1702
Los Angeles, CA 90013

Attn: James S. Heiser, Esq.
Ducommun, Inc.
23301 S. Wilmington Avenue
Carson, CA 90745

Attn: Kelly Ridenour, Ms.
(kridenour@fennemorelaw.com)
Fennemore LLP (via email)
550 East Hospitality Lane
Suite 350
San Bernardino, CA 92408-4206

Attn: Toby Moore, PhD, PG, CHG
(TobyMoore@gswater.com)
Golden State Water Company (via email)
160 W. Via Verde, Suite 100
San Dimas, CA 91773-

Attn: Vanessa Guillen-Becerra
(Vanessa.Becerra@bbklaw.com)
Best, Best & Krieger LLP (via email)

Attn: Terry Caldwell, Esq.
Caldwell & Kennedy
15476 West Sand Street
Victorville, CA 92392

Attn: Nancy McDonough
California Farm Bureau Federation
2300 River Plaza Drive
Sacramento, CA 95833

Attn: Andrew L. Jared, Esq.
(ajared@chwlw.us)
Colantuono, Highsmith & Whatley, PC (via email)
790 E. Colorado Blvd., Suite 850
Pasadena, CA 91101-2109

Attn: Ed Dygert, Esq.
Cox, Castle & Nicholson
3121 Michelson Drive, Ste. 200
Irvine, CA 92612-

Attn: Carol A. Z. Boyd, Dep
(Carol.Boyd@doj.ca.gov)
Department of Justice (via email)
300 South Spring St.
Suite 1702
Los Angeles, CA 90013-

Attn: Marlene Allen Murray, Esq.
(mallenmurray@fennemorelaw.com)
Fennemore LLP (via email)
550 East Hospitality Lane
Suite 350
San Bernardino, CA 92408-4206

Attn: Derek Hoffman, Esq.
(dhoffman@fennemorelaw.com)
Fennemore LLP (via email)
550 East Hospitality Lane
Suite 350
San Bernardino, CA 92408-4206

Attn: Andre de Bortnowsky, Esq.
(andre@gblawoffices.com)
Green de Bortnowsky, LLP (via email)
30077 Agoura Court, Suite 210
Agoura Hills, CA 91301-2713

Attn: Stephanie Osler Hastings, Esq.
(SHastings@bhfs.com; mcarlson@bhfs.com)
Brownstein Hyatt Farber Schreck, LLP (via email)
1021 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101-2102

Attn: Stephen Puccini
(stephen.puccini@wildlife.ca.gov)
California Department of Fish and Wildlife
(via email)

Attn: Jeffery L. Caufield, Esq.
(Jeff@caufieldjames.com)
Caufield & James, LLP (via email)
2851 Camino Del Rio South, Suite 410
San Diego, CA 92108-

Attn: Maria Insixiengmay
(Maria.Insxiengmay@cc.sbcounty.gov)
County of San Bernardino, County Counsel
(via email)
385 N. Arrowhead Avenue, 4th Floor
San Bernardino, CA 92415-0140

Attn: Noah GoldenKrasner, Dep
(Noah.GoldenKrasner@doj.ca.gov)
Department of Justice (via email)
300 S. Spring Street, Suite 1700
Los Angeles, CA 90013

Attn: Diana Carloni, Esq.
(diana@carlonilaw.com)
Diana J. Carloni (via email)
21001 N. Tatum Blvd.
Suite 1630-455
Phoenix, AZ 85050-

Attn: Michele Hinton, Ms.
(mhinton@fennemorelaw.com)
Fennemore LLP (via email)
8080 N Palm Ave, Third Floor
Fresno, CA 93711-

Attn: Thomas G. Ferruzzo, Esq.
(tferruzzo@ferruzzo.com)
Ferruzzo & Ferruzzo, LLP (via email)
3737 Birch Street, Suite 400
Newport Beach, CA 92660

Attn: Michelle McCarron, Esq.
(mmccarron@gdblwoffices.com;
andre@gdblwoffices.com)
Green de Bortnowsky, LLP (via email)
30077 Agoura Court, Suite 210
Agoura Hills, CA 91301-2713

Mojave Basin Area Watermaster Service List as of October 07, 2025

Attn: Calvin R. House, Esq.
Gutierrez, Preciado & House
3020 E. Colorado BLVD
Pasadena, CA 91107-3840

Attn: Curtis Ballantyne, Esq.
Hill, Farrer & Burrill
300 S. Grand Avenue, 37th Floor
1 California Plaza
Los Angeles, CA 90071

Attn: Michael Turner, Esq.
(mturner@kasdandclaw.com)
Kasdan, LippSmith Weber Turner, LLP (via email)
19900 MacArthur Blvd., Suite 850
Irvine, CA 92612-

Attn: Mitchell Kaufman, Esq.
(mitch@kmcllp.com)
Kaufman McAndrew LLP (via email)
16633 Ventura Blvd., Ste. 500
Encino, CA 91436-1835

Attn: Thomas S. Bunn, Esq.
(TomBunn@lagerlof.com)
Lagerlof, Senecal, Gosney & Kruse, LLP (via email)
301 N. Lake Avenue, 10th Floor
Pasadena, CA 91101-5123

Attn: Peter J. Kiel, Esq.
(pkiel@cawaterlaw.com)
Law Office of Peter Kiel PC (via email)
PO Box 422
Petaluma, CA 94953-0422

Attn: Fred J. Knez, Esq.
Law Offices of Fred J. Knez
6780 Indiana Ave, Ste 150
Riverside, CA 92506-4253

Attn: Robert C. Hawkins, Esq.
Law Offices of Robert C. Hawkins
14 Corporate Plaza, Suite 120
Newport, CA 92660

Attn: Arthur G. Kidman, Esq.
(akidman@kidmanlaw.com)
McCormick, Kidman & Behrens (via email)
8 Corporate Park
Suite 300
Irvine, CA 92606-5196

Attn: Jeffrey D Ruesch
(watermaster@mojavewater.org)
Mojave Basin Area Watermaster (via email)
13846 Conference Center Drive
Apple Valley, CA 92307

Attn: Adnan Anabtawi
(aanabtawi@mojavewater.org)
Mojave Water Agency (via email)
13846 Conference Center Drive
Apple Valley, CA 92307

Attn: Frederic A. Fudacz, Esq.
(ffudacz@nossaman.com)
Nossaman LLP (via email)
777 South Figueroa Street, 34th Floor
Los Angeles, CA 90017-

Attn: Kieth Lemieux
(KLemieux@omlola.com)
Olivarez Madrugá Lemieux O'Neill, LLP (via email)
500 South Grand Avenue, 12th Floor
Los Angeles, CA 90071-2609

Attn: Betsy Brunswick (bmb7@pge.com)
Pacific Gas and Electric Company (via email)
77 Beale Street, B28P
San Francisco, CA 94105-1814

Attn: Joesfina M. Luna, Esq.
(fluna@redwineandsherrill.com)
Redwine and Sherrill (via email)
3890 Eleventh Street
Suite 207
Riverside, CA 92501-

Attn: Steven B. Abbott, Esq.
(sabbott@redwineandsherrill.com;
fluna@redwineandsherrill.com)
Redwine and Sherrill (via email)
3890 Eleventh Street
Suite 207
Riverside, CA 92501-

Attn: Stephanie D. Nguyen, Esq.
(snguyen@reedsmith.com)
Reed Smith LLP (via email)
1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90076-6078

Attn: Henry R. King, Esq.
(hking@reedsmith.com)
Reed Smith LLP (via email)
506 Carnegie Center, Suite 300
Princeton, NJ 08540-

Attn: James L. Markman, Esq.
Richards, Watson & Gershon
1 Civic Center Circle
P.O. Box 1059
Brea, CA 92822-1059

Attn: Elizabeth Hanna, Esq.
Rutan & Tucker
P.O. Box 1950
Costa Mesa, CA 92626

Attn: Randall R. Morrow, Esq.
Semptra Energy Law Department
Office of the General Counsel
555 West Fifth Street, Suite 1400
Los Angeles, CA 90013-1011

Attn: Shannon Oldenburg, Esq.
(shannon.oldenburg@sce.com)
Southern California Edison Company
Legal Department (via email)
P.O. Box 800
Rosemead, CA 91770

Attn: ()
Southern California Gas Company
Transmission Environmental Consultant (via email)
,

Attn: Rick Ewaniszyk, Esq.
The Hegner Law Firm
14350 Civic Drive
Suite 270
Victorville, CA 92392

Attn: Agnes Vander Dussen Koetsier
(beppeauk@aol.com)
Vander Dussen Trust, Agnes & Edward (via email)
P.O. Box 5338
Blue Jay, CA 92317-

Attn: Robert C. Wagner, P.E.
(rcwagner@wbecorp.com)
Wagner & Bonsignore
Consulting Civil Engineers (via email)
2151 River Plaza Drive, Suite 100
Sacramento, CA 95833-4133