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Newberry Springs Recreational Lakes Association
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF RIVERSIDE
10 RIVERSIDE HISTORIC COURTHOUSE

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

JCCP No. 5265
Case No. CIV 208568

12 MOJAVE BASIN WATER CASES

Judge: Hon. Craig G. Riemer
Dept: 1

13 CITY OF BARSTOW,

14 Plaintiff,

15 vs.

16 CITY OF ADELANTO, et al.,

17 Defendant.
18

**NEWBERRY SPRINGS RECREATIONAL
LAKES ASSOCIATION'S OPPOSITION TO
MITSUBISHI CEMENT CORPORATION'S
NOTICE OF MOTION AND MOTION TO
SELECT HYDROLOGIC BASE PERIOD
OF 1995-2024; MEMORANDUM OF
POINTS AND AUTHORITIES**

*[Filed concurrently with Declarations of Jeremy
Jungreis and W. Richard Laton; and [Proposed]
Order]*

19 AND RELATED CROSS ACTIONS
20

Date: March 18, 2026
Time: 8:30 a.m.
Dept: 1

Reservation No.: Per Court Order 2/20/2026

23 Date: February 20, 2026
24 Time: 8:30 am
Dept: 1

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MEMORANDUM OF POINTS AND AUTHORITIES

Newberry Springs Recreational Lakes Association (“NSRLA”) opposes Mitsubishi’s motion on the same grounds, which are herein incorporated by reference, on which it opposes the motion of the Mojave Watermaster’s renewed motion. Simply put, it is premature to set a base period for the Baja sub-basin until the Regional Mojave River Basin Model (“RMRBM”) is completed for the Baja and Centro sub-basins, thereby providing sufficient data to meet the requirements for setting a base period under section aa of the Judgment. Doing so now, in the absence of reliable information about how much water replenishes the Baja sub-basin each year, risks over-regulating Baja while at the same time under-regulating the connected Centro sub-basin. (See Declaration of Dr. Richard Laton and exhibits 1-4 enclosed therewith, and the Declaration of Jeremy Jungreis and Exhibit 1 enclosed therewith).

As such, NSRLA respectfully requests that the Court deny Mitsubishi’s motion.

Dated: March 5, 2026

RUTAN & TUCKER, LLP
JEREMY N. JUNGREIS

By: 
Jeremy N. Jungreis
Attorneys for Defendant
Newberry Springs Recreational Lakes
Association

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF ORANGE**

3
4 I am employed by the law office of Rutan & Tucker, LLP in the County of Orange, State
5 of California. I am over the age of 18 and not a party to the within action. My business address is
6 18575 Jamboree Road, 9th Floor, Irvine, CA 92612.

7 On March 5, 2026, I served on the interested parties in said action the within:

8 **1. NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION'S**
9 **OPPOSITION TO WATERMASTER'S RENEWED MOTION FOR**
10 **DETERMINATION OF HYDROLOGIC BASE PERIOD FOR CALCULATION OF**
11 **PRODUCTION SAFE YIELD VALUES; MEMORANDUM OF POINTS AND**
12 **AUTHORITIES;**

13 **2. DECLARATION OF W. RICHARD LATON IN SUPPORT OF NEWBERRY**
14 **SPRINGS RECREATIONAL LAKES ASSOCIATION'S OPPOSITION TO**
15 **WATERMASTER'S RENEWED MOTION FOR DETERMINATION OF**
16 **HYDROLOGIC BASE PERIOD FOR CALCULATION OF PRODUCTION SAFE**
17 **YIELD VALUES; MEMORANDUM OF POINTS AND AUTHORITIES;**

18 **3. DECLARATION OF JEREMY JUNGREIS' IN SUPPORT OF NEWBERRY**
19 **SPRINGS RECREATIONAL LAKES ASSOCIATION'S OPPOSITION TO**
20 **WATERMASTER'S RENEWED MOTION FOR DETERMINATION OF**
21 **HYDROLOGIC BASE PERIOD FOR CALCULATION OF PRODUCTION SAFE**
22 **YIELD VALUES; MEMORANDUM OF POINTS AND AUTHORITIES;**

23 **4. NEWBERRY SPRINGS RECREATIONAL LAKES ASSOCIATION'S**
24 **OPPOSITION TO MITSUBISHI CEMENT CORPORATION'S NOTICE OF**
25 **MOTION AND MOTION TO SELECT HYDROLOGIC BASE PERIOD OF 1995-**
26 **2024; MEMORANDUM OF POINTS AND AUTHORITIES;**

27 **5. DECLARATION OF W. RICHARD LATON IN SUPPORT OF NEWBERRY**
28 **SPRINGS RECREATIONAL LAKES ASSOCIATION'S OPPOSITION TO**
29 **MITSUBISHI CEMENT CORPORATION'S NOTICE OF MOTION AND MOTION**
30 **TO SELECT HYDROLOGIC BASE PERIOD OF 1995-2024; and**

31 **6. DECLARATION OF JEREMY JUNGREIS IN SUPPORT OF NEWBERRY**
32 **SPRINGS RECREATIONAL LAKES ASSOCIATION'S OPPOSITION TO**
33 **MITSUBISHI CEMENT CORPORATION'S NOTICE OF MOTION AND MOTION**
34 **TO SELECT HYDROLOGIC BASE PERIOD OF 1995-2024**

35 as stated below:

36 (BY EMAIL or ELECTRONIC TRANSMISSION TO THE WATERMASTER)

37 I did not receive, within a reasonable time after the transmission, any electronic message or
38 other indication that the transmission was unsuccessful; and pursuant to the Mojave Basin Area
39 Watermaster's Rules and Regulations paragraph 8.8.2 which provides for service by electronic
40 mail upon election by the Party or paragraph 10.D, which provides that Watermaster shall mail a
41 postcard describing each document being served, to each Party or its designee according to the
42 official service list, a copy of which is attached hereto, and which shall be maintained by the

1 Mojave Basin Area Watermaster pursuant to Paragraph 37 of the Judgment. Served documents
2 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.

3 Executed on March 5, 2026, at Irvine, California.

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

6 Beth P. Vaca
7 (Type or print name)

/s/ Beth P. Vaca
(Signature)

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SERVICE LIST

Mojave Basin Area Watermaster
c/o Valerie L. Wiegenstein
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PROOF OF SERVICE

STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO}

I am employed in the County of the San Bernardino, State of California. I am over the age of 18 and not a party to the within action; my business address is 13846 Conference Center Drive, Apple Valley, California 92307.

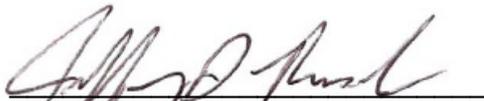
On March 5, 2026, the document(s) described below were served pursuant to the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B.2 which provides for service by electronic mail upon election by the Party or paragraph 10.D, which provides that Watermaster shall mail a postcard describing 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:

Newberry Springs Recreational Lakes Association's Opposition to Mitsubishi Cement Corporation's Notice of Motion and Motion to Select Hydrologic Base Period of 1995-2024; Memorandum of Points and Authorities

 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 March 5, 2026 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of March 05, 2026

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Mojave Basin Area Watermaster Service List as of March 05, 2026

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Gabrych Family Trust dated October 9, 2007
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Gabrych Family Trust dated October 9, 2007
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Mojave Basin Area Watermaster Service List as of March 05, 2026

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Mojave Basin Area Watermaster Service List as of March 05, 2026

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Mojave Basin Area Watermaster Service List as of March 05, 2026

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Mojave Basin Area Watermaster Service List as of March 05, 2026

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Mojave Basin Area Watermaster Service List as of March 05, 2026

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Mojave Basin Area Watermaster Service List as of March 05, 2026

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