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6 Attorneys for Defendant
S.E. Combined Services of California, Inc.
7 (erroneously sued as SE Combined Services, Inc.)

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF RIVERSIDE

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

12 MOJAVE BASIN WATER CASES

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15 MOJAVE WATER AGENCY, AS THE
MOJAVE BASIN AREA WATERMASTER,

16 Plaintiff,

17 v.

18 All persons who are not presently parties to the
comprehensive groundwater adjudication in
19 *City of Barstow, et al., v. City of Adelanto, et*
al., Riverside Superior Court Case No.
20 CIV208568, and are either producing more
than 10 acre-feet of Basin groundwater
21 annually, or using Basin groundwater for
unlawful purposes, and Does 1 through 2,000,

22 Defendants.

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24 AND RELATED CROSS-ACTION.
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JCCP No. 5265
CIV208568 (LEAD CASE NUMBER)

Hon. Harold W. Hopp
Dept. 1

Coordinated with:
Case No. CIVSB 2218461

(Complex Case)

**S.E. COMBINED SERVICES OF
CALIFORNIA, INC.'S RESPONSE TO
SHADOW MOUNTAIN RANCH LLC'S
MOTION TO BIFURCATE TRIAL AND
SET THE EARLIEST POSSIBLE
TRIAL DATE**

FAC filed: June 25, 2024
Trial Date: None Set

1 Defendant S.E. Combined Services of California, Inc. (erroneously sued as SE Combined
2 Services, Inc.) (“SE Combined Services”) does not oppose Defendant and Cross-Complainant
3 Shadow Mountain Ranch’s (“SMR”) Motion to Bifurcate Trial and Set the Earliest Possible Trial
4 Date, subject to the following conditions:

5 1. Determination on SMR’s Second Cause of Action Is Common and Should Apply to
6 All Defendants. SMR’s Second Cause of Action for Declaratory Relief –
7 Inapplicability of Judgment sets forth a common legal defense to a theory of liability
8 alleged by Plaintiff Mojave Water Agency (“MVA”) against all defendants,
9 including SE Combined Services. Specifically, SMR alleges: “SMR seeks a
10 declaratory judgment that its rights to the groundwater in the aquifers underlying its
11 property are not subject, and cannot be subject, to the January 10, 1996, Judgment
12 and Physical Solution, as amended on December 5, 2002 (“Judgment”), which was
13 entered following the conclusion of litigation entitled *City of Barstow, et al. v. City*
14 *of Adelanto, et al.*, Riverside County Superior Court, Case No. CIV208568 (the
15 “*City of Barstow Action*”). SMR is not a party to the Judgment and by law cannot
16 be bound to the Judgment through MWA’s complaint in this action because the
17 Judgment did not determine the parties’ groundwater rights and priorities.” (SMR
18 Cross-Complaint, ¶ 2.) Like SMR, none of the defendants to this action, including
19 SE Combined Services, were parties to the *City of Barstow Action*. (First Amended
20 Complaint, ¶¶ 20, 26.) As such, the Court’s resolution of this legal issue impacts all
21 defendants equally and is not unique to SMR. Economy and efficiency therefore
22 compel that this issue be bifurcated as to all defendants. (Code Civ. Proc. § 598.)
23 **SE Combined Services hereby requests that the Court’s determination as to**
24 **whether the Judgment is inapplicable to SMR as a non-party to the *City of***
25 ***Barstow Action* be bifurcated and apply equally as to all defendants.**

26 2. Determination of Basin Boundaries, Safe Yield and Existence of Overdraft Are
27 Common and Should Apply to All Defendants. Although not expressly at issue, to
28 the extent resolution of any of SMR’s claims will require a determination of the

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Mojave Basin Area boundaries, safe yield and/or overdraft status, then those factual issues are common to all defendants, will require common (expert) evidence and are not unique to SMR. Economy and efficiency therefore compel that these factual issues be reserved or bifurcated as to all defendants. (Code Civ. Proc. § 598.) **SE Combined Services hereby requests that any determination as to the Mojave Basin Area boundaries, safe yield and/or overdraft status either be expressly reserved or bifurcated and apply equally as to all defendants.**

3. Issues of Priority and Equitable Apportionment by and Among Defendants Are Excluded. As indicated in SMR’s moving papers, any determination that would impact priority of use and/or equitable apportionment by and among the defendants are beyond the scope of SMR’s request. Any determination as to whether or to what extent SMR’s overlying water right, if any, may be taxed or subordinated to other users could impair or prejudice rights of SE Combined Services and is not appropriate for bifurcation. **SE Combined Services seeks to exclude and hereby expressly reserves all rights with respect to issues of priority and equitable apportionment by and among SMR and the other defendants.**

Dated: March 27, 2026

SNELL & WILMER L.L.P.

By: 

Adriana Ochoa
Tracie E. Stender

Attorneys for Defendant
S.E. Combined Services of California, Inc.

4920-8348-5842

PROOF OF SERVICE

I, April A. Cesena Guzman, declare:

I am employed in San Diego County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 3611 Valley Centre Drive, Suite 500, San Diego, California 92130-2090. On March 27, 2026, I served a copy of the within document(s):

S.E. COMBINED SERVICES OF CALIFORNIA, INC.’S RESPONSE TO SHADOW MOUNTAIN RANCH LLC’S MOTION TO BIFURCATE TRIAL AND SET THE EARLIEST POSSIBLE TRIAL DATE

- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Diego, California addressed as set forth below.
- by placing the document(s) listed above in a sealed envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to an agent for delivery.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

<p>bbrunick@bmklawplc.com lmcelhaney@bmklawplc.com, jquihuis@bmklawplc.com,</p> <p><i>Attorneys for THE MOJAVE WATER AGENCY AS THE MOJAVE BASIN AREA WATERMASTER</i></p> <p>eric.garner@bbklaw.com, alison.toivola@bbklaw.com, christopher.pisano@bbklaw.com, vanessa.becerra@bbklaw.com,</p> <p><i>Attorneys for SHADOW MOUNTAIN RANCH, LLC</i></p> <p>pkiel@cawaterlaw.com</p> <p><i>Attorneys for CITY OF VICTORVILLE</i></p> <p>litigation@pprclaw.com</p> <p><i>Attorneys for Defendant, WEILONG HUANG</i></p>	<p>eric.katz@doj.ca.gov noah.goldenkrasner@doj.ca.gov</p> <p><i>Attorneys for CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE</i></p> <p>tmahar@tinnellylaw.com</p> <p><i>Attorneys for Specially-Appearing Petitioner SPRING VALLEY LAKE ASSOCIATES</i></p> <p>rmcglathlin@omm.com gyost@omm.com</p> <p><i>Attorneys for Defendant Buddhist-Town, LLC.</i></p> <p>watermaster@mojavewater.org</p> <p>JMarkman@rwglaw.com KBrochard@rwglaw.com JMetz@rwglaw.com</p>
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	<i>Attorneys for Defendant, THE FASOJA TRUST</i>
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VIA US MAIL Shunxing Weng 135 W. Newmark Ave., Apt. A Monterey Park, California 91754 <i>Defendant, In Pro Per</i>	Jasper Young Kim 2665 Amber Wood Place Thousand Oaks, California 91362 <i>Defendant, In Pro Per</i>
Jae Hwan Lee 1520 James M. Wood Blvd Los Angeles, California 90015 <i>Defendant, In Pro Per</i>	Byung Koo Chin 15648 Meridian Rd. Lucerne Valley, California 92356 <i>Defendant, In Pro Per</i>

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

Executed on March 27, 2026, at San Diego, California.



April A. Cesena Guzman