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*Exempt from filing fee pursuant to
Gov't. Code Section 6103*

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9 Attorneys for Defendant\Cross-Complainant,
10 MOJAVE WATER AGENCY

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **IN AND FOR THE COUNTY OF RIVERSIDE**

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

JCCP NO.: 5265
Lead Case No: CIV 208568

15 MOJAVE BASIN WATER CASES

Dept. 1, Riverside Superior Court
Hon. Craig G. Riemer, Retired Judge sitting by
Assignment of the Chief Justice

16 CITY OF BARSTOW,

17 Plaintiff,

18 vs.

19 CITY OF ADELANTO, et al.,

20 Defendant.

**EX PARTE APPLICATION FOR
CONTINUANCE OF HEARING DATE;
SUPPORTING DECLARATION**

Hearing Date: March 25, 2026
Time: 8:30 a.m.

Dept.: 1

RESERVATION ID: 848828867966

21 AND RELATED CROSS ACTIONS

22 The Mojave Water Agency, as Court-appointed Watermaster in this proceeding, submits this
23 *ex parte* application to continue from April 10, 2026 at 1:30 p.m. to April 20, 2026 at 1:30 p.m., or
24 another date convenient to the Court and the participating parties, the hearing on both the Mojave
25 Water Agency's motion for approval of the 2001-2020 hydrologic base period, and the Mitsubishi
26 Cement Corporation, Robertson's Ready Mix, Ltd., and the Cal Portland Company (collectively,
27 "Mitsubishi") joint motion for approval of the 1995-2024 hydrologic base period.

28 Good cause for the requested continuance is set forth in the attached supporting declaration.


This application is based upon this Notice, the attached supporting declaration, and such

EX PARTE APPLICATION FOR CONTINUANCE OF HEARING DATE; SUPPORTING DECLARATION

1 additional evidence as may be presented at the hearing on the motion.

2 Dated: March 20, 2026

BRUNICK, McELHANEY & KENNEDY PLC

3
4 By: 
5 _____
6 Leland P. McElhaney
7 Attorneys for Defendant/Cross-complainant,
8 MOJAVE WATER AGENCY
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1 **SUPPORTING DECLARATION**

2 Leland P. McElhaney declares and states:

3 1. I am an attorney at law, duly licensed to practice in all courts of the State of California, and a
4 principal in the law firm of Brunick, McElhaney & Kennedy PLC, counsel of record for the Mojave
5 Water Agency in its roles as a participating Party in this proceeding and, also, as the Court-appointed
6 Watermaster. I have personal knowledge of all matters set forth herein and, if called as a witness, I
7 could and would testify competently thereto.

8 2. On March 17, 2026, the Court issued its Minute Order continuing from March 18, 2026, to
9 April 10, 2026, at 1:30 p.m., the hearing on both the Mojave Water Agency’s motion for approval of
10 the 2001-2020 hydrologic base period, and Mitsubishi’s motion for approval of the 1995-2024
11 hydrologic base period.

12 3. Thereafter, I made inquires as to whether any person who planned to participate in the hearing
13 on the motions would be unable to attend or otherwise participate in the hearing on April 10, 2026.
14 In response to those inquires, I have been informed that the following persons are unable to attend or
15 otherwise participate in the hearing presently scheduled for April 10, 2026: Robert C. Wagner
16 (Watermaster Engineer), Peter Kiel, Esq. (counsel of record for the Victorville Water District), and
17 Peter Leffler (expert consultant for the Victorville Water District).

18 4. Based upon that information, I then inquired of the interested parties who have engaged on this
19 issue as to their availability on other dates when Mr. Wagner, Mr. Kiel, and Mr. Leffler are available.
20 The other dates proposed included dates both before and after April 10, 2026 and through April 20,
21 2026. I made those inquiries to legal counsel of record representing the California Department of Fish
22 & Wildlife, Mitsubishi, Golden State Water Company, the Victorville Water Company, and the
23 Newberry Springs Recreational Lakes Association.

24 5. Of the various dates proposed, April 20, 2026 is the only date when all parties who have
25 engaged on the hydrological base period issue and the expert consultants who have been designated
26 regarding this issue are available. I have not inquired as to availability on dates subsequent to April
27 20, 2026.

28 6. Therefore, if April 20, 2026 is a date is convenient to the Court’s calendar, Watermaster

1 submits that good cause exists to continue the hearing from April 10, 2026 to April 20, 2026, at 1:30
2 p.m. in Department 1.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct, and this declaration is executed in San Bernardino, California, on March 20, 2026.

5 

6

7 Leland P. McElhaney

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 20, 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:

EX PARTE APPLICATION FOR CONTINUANCE OF HEARING DATE; SUPPORTING DECLARATION

 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 20, 2026 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of March 20, 2026

Attn: Roberto Munoz
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San Dimas, CA 91773-5121

Attn: Matthew Patterson
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Brown Family Trust Dated August 11, 1999
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Attn: Ian Bryant (irim@aol.com)
Bryant Family Trust dated May 9, 2007 (via
email)
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Bunnell, Dick
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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
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Gaeta, Miguel and Maria
9366 Joshua Avenue
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Mojave Basin Area Watermaster Service List as of March 20, 2026

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Mojave Basin Area Watermaster Service List as of March 20, 2026

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Attn: Janie Martines
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Hi Desert Mutual Water Company
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Hubbard, Ester and Mizuno, Arlean
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Mojave Basin Area Watermaster Service List as of March 20, 2026

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Johnston, Harriet and Johnston, Lawrence W.
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Jones Trust dated March 16, 2002 (via email)
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Attn: Paul Jordan
Jordan Family Trust
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Jubilee Mutual Water Company
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Mojave Basin Area Watermaster Service List as of March 20, 2026

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Mojave Basin Area Watermaster Service List as of March 20, 2026

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Mojave Basin Area Watermaster Service List as of March 20, 2026

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Attn: Joseph Tapia
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Mojave Basin Area Watermaster Service List as of March 20, 2026

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