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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

CITY OF BARSTOW, et al.,

Plaintiffs,

v.

CITY OF ADELANTO, et al.,

Defendants,

Case No. JCCP5265

Lead Case No. CIV208568

**CALIFORNIA DEPARTMENT OF FISH
AND WILDLIFE'S RESPONSE TO
WATERMASTER'S WATER YEAR
2026-2027 FREE PRODUCTION
ALLOWANCE MOTION**

Date: August 12, 2026

Time: 10:00 a.m.

Dept: 1

Judge: The Honorable Craig G. Riemer (ret.)

AND ALL RELATED CROSS ACTIONS.

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1 The California Department of Fish and Wildlife (Department) respectfully submits this
2 Response in response to the Mojave Water Agency's (Watermaster) Motion to Adjust Free
3 Production Allowance for Water Year 2026-2027 (Watermaster's Motion hereinafter "2026-2027
4 FPA Motion.") Specifically, the Department supports the 2026-2027 FPA Motion's request to
5 maintain Free Production Allowance (FPA) at 19.5% of base annual production (BAP) for Water
6 Year 2026-2027 in the Baja Subarea (Baja) and to reduce the FPA in Centro to 55.8% of the
7 BAP. However, the Department objects to ramping up production and FPA in the Alto subarea
8 (Alto) from 50.4% to 54.5% of the BAP and to ramping up production and FPA in the Oeste
9 subarea (Oeste) from 45% to 51.9% of the BAP in order to continue to comply with the *City of*
10 *Barstow v City of Adelanto* judgment entered on January 10, 1996 (Judgment), and to explore
11 additional actions to ensure the sustainability of the Mojave Basin Area (Basin) and the Baja
12 subarea specifically.

13 BACKGROUND AND HISTORY

14 The original complaint in this water adjudication was filed by the City of Barstow on May
15 30, 1990. On January 10, 1996, the Court entered the Judgment that addressed the overdraft in all
16 of the five subareas and determined that the Basin had been in a state of overdraft since at least
17 the 1950's. (Judgment p. 45.) The Judgment was upheld on appeal in *City of Barstow v Mojave*
18 *Water Agency* (2000) 23 Cal. 4th 1224. The Department is a party to the Judgment and has
19 statutory and common law responsibilities regarding fish and wildlife resources, including their
20 habitats. (Fish & Game Code, §§ 711.7, 1802.) The Department owns and manages lands in the
21 Basin, including Camp Cady in Baja and the Mojave River Fish Hatchery in Alto. (Declaration
22 of Aaron Johnson in Support of the Department of Fish and Wildlife's Response to
23 Watermaster's Motion to Adjust Free Production Allowance for the 2026-2027 Water Year
24 (Johnson Decl.) at ¶ 3.) The Department also owns the Mojave Narrows Regional Park in Alto.
25 (*Ibid.*)

26 A. The Department Properties Overlying the Basin

27 When the Department purchased Camp Cady it had extensive surface water and critical
28 public trust resources, including riparian habitat, which was one of the main reasons it was

1 purchased. (Johnson Decl. at ¶ 13.) When running and pooled surface water was present,
2 cottonwoods and willows were abundant with a dense understory of mesquite. (*Ibid.*) According
3 to Department records, the Mojave River typically surfaced in the center of Camp Cady and
4 generally flowed from late October to August. (*Ibid.*) These surface flows later ceased because
5 of the declining groundwater levels and have not returned except for rare large storm events
6 typically occurring in the winter months. (*Ibid.*)

7 The Department also owns and/or manages the Mojave Narrows Regional Park and the
8 Mojave River Fish Hatchery in Alto. (Johnson Decl. at ¶ 3.) The Department therefore has
9 extensive knowledge of the Basin, its workings and its history and is involved on a day-to-day
10 basis with the management of critical public trust resources overlying the Basin.

11 **B. The Terms of the Judgment**

12 The Judgment established a limit on the amount of water each subarea could produce
13 without replacement obligations in one year known as FPA, which can be adjusted on an annual
14 basis. Pursuant to the gradual rampdown in production required by the Judgment, Exhibit H to the
15 Judgment requires Watermaster to recommend a five percent (5%) decrease in the FPA for a
16 subarea when that subarea's FPA exceeds its estimated Production Safe Yield (PSY) by 5% or
17 more on an annual water year basis. (Judgment, Exhibit H ¶ 2a.) The Judgment also established
18 each producer's initial BAP. A producer's BAP was based upon that producer's highest year of
19 water production during the base period of 1986-1990. (*Id.* at ¶ 4g.) The BAP right, or its share of
20 the FPA, is the right of each producer to a *percentage* of the FPA within a given subarea each
21 year. (*Ibid.*) For example, in Baja the Department owns 921 acre-feet of BAP in the Judgment. If
22 the FPA is set at 19.5% of BAP, the Department can produce 179 acre-feet without any
23 replacement water obligations.

24 As part of the Judgment, the Department supported certain terms that were designed to
25 protect the State of California's public trust resources, which the Department and the
26 Watermaster have the responsibility to protect. One such term, paragraph 2a of Exhibit H in the
27 Judgment reads: "In considering whether to increase or decrease the Free Production Allowance
28 in a Subarea, Watermaster shall, among other factors, take into consideration for the areas shown

1 on Figure H-1, the Consumptive Use of water by riparian habitat, the protection of public trust
2 resources, including the species listed in Table H-1 and the riparian habitat areas shown on Figure
3 H-1, and whether an increase would be detrimental to the protection of public trust resources.”
4 The Watermaster, and the Court, must therefore take into consideration the protection of public
5 trust resources and determine whether increasing FPA and production in all the subareas,
6 including Alto, Oeste and Baja “would be detrimental to public trust resources” before deciding
7 whether to increase the FPA or keep the FPA the same in these subareas.

8 **C. The Public Trust Doctrine in Water Rights Cases**

9 The public trust doctrine in the field of California water rights represents the state’s
10 authority to exercise continuous supervision and control over ecological and recreational interests
11 dependent on navigable waters of the state, tributary non-navigable waters of the state, and the
12 lands underlying those waters. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d
13 419, 425.) “Before state courts and agencies approve water diversions, they should consider the
14 effect of such diversions upon interests protected by the public trust, and attempt, so far as
15 feasible, to avoid or minimize any harm to those interests.” (*Id.* at p. 426.) Courts have
16 recognized these interests to include, for example, “the scenic views of [a] lake and its shore, the
17 purity of the air, and the use of [a] lake for nesting and feeding by birds.” (*Id.* at p. 435.)

18 The doctrine also extends to groundwater and its effects on public trust resources.
19 (*Environmental Law Foundation v. State Water Resources Control Bd.* (2018) 26 Cal.App.5th
20 844, 859.) The court in *Environmental Law Foundation* found a duty to consider any adverse
21 impacts groundwater extraction would have on a public trust resource. (*Id.* at 863.) The duty, the
22 court found, was not to regulate but to consider the impact on the public trust resource and, where
23 feasible, to preserve the public interest in its resources. (*Ibid.*) Therefore, before state courts and
24 agencies approve water uses, they must consider the effect of such use upon interests protected by
25 the public trust, and attempt, so far as feasible, to avoid or minimize any harm to those interests.
26 (*National Audubon Society v. Superior Court, supra*, 33 Cal.3d at p. 426.)

27 Further, the public trust doctrine imposes a duty of continuing supervision over the taking
28 and use of water affecting the trust resources. (*National Audubon Society v. Superior Court,*

1 *supra*, 33 Cal.3d at p. 447.) In exercising its sovereign power to protect water resources in the
2 public interest, the state, or court, is not confined by past water allocation decisions which may be
3 incorrect in light of current knowledge or inconsistent with current needs. (*Ibid.*) In other words,
4 this Court must continually take into consideration groundwater pumping's effects on public trust
5 resources such as endangered species and riparian habitat.

6 **D. The Past and Continuing Harm to Public Trust Resources in this Basin**

7 Declining groundwater levels have caused widespread mortality within the stands of
8 cottonwood, mesquite, and willows at Camp Cady and throughout the Mojave River. (Johnson
9 Decl. at ¶¶ 11-12, 19, 25.) The losses are in the order of 87% for local Camp Cady Fremont
10 cottonwood forests (*Id.* at ¶¶ 11-12.) In addition, the Southwestern pond turtle that was once
11 common in Camp Cady when the Judgment was entered have now been extirpated. (*Id.* at ¶ 20.)
12 We have lost and are continuing to lose vital public trust resources in this Basin. Notwithstanding
13 these losses, Camp Cady still contains valuable riparian vegetation. (Johnson Decl. at ¶¶ 11-15.)
14 Numerous wildlife species have been documented using riparian vegetation at Camp Cady,
15 including multiple species listed as endangered under the California Endangered Species Act and
16 the federal Endangered Species Act. (*Id.* at ¶¶ 19-20). Habitat with a cottonwood and willow
17 canopy and a mesquite understory had the highest abundance of birds of all habitat types at the
18 wildlife area. (*Ibid.*)

19 The math is simple. Groundwater dependent ecosystems cannot survive when water
20 levels have decreased to 64 feet or more below ground. (Johnson Decl. at ¶¶ 16-17.) Crucial local
21 vegetation starts to get stressed and die when water levels drop 7 feet below ground. (*Ibid.*)
22 Increased planting, which the Department has attempted, cannot preserve or restore this
23 vegetation with those kinds of water levels. (Johnson Decl. at ¶ 14.) It is just impossible. There is
24 no way the Department can save the remaining vegetation without a dramatic increase in water
25 levels. (*Id.* at ¶ 15.) This can only be accomplished with an entire basin-wide approach.

26 Camp Cady was acquired to protect the surface water and associated riparian habitats.
27 (Johnson Decl. at ¶ 13.) When running and pooled surface water was present, cottonwoods and
28 willows were abundant with a dense understory of mesquite. (*Ibid.*) According to Department

1 records, the Mojave River typically surfaced in the center of Camp Cady and generally flowed
2 from late October to August. (*Ibid.*). These surface flows have ceased because of the declining
3 groundwater levels and have not returned except for very rare large storm events typically
4 occurring in the winter months. (*Ibid.*)

5 Therefore, it is critical that the Watermaster and this Court take these public trust needs
6 into account whenever setting the yearly FPA. As long as groundwater levels in the subareas
7 continue to exceed the critical depths detailed in Table H-2 of Exhibit H needed for a healthy
8 habitat, then doing anything aside from maintaining FPA at current levels or ramping the FPA
9 down further is contrary to the Judgment and will harm the public trust resources in the Basin.

10 In addition, the process presented in the Watermaster Engineer's declaration does not
11 adequately address the Exhibit H wells, rather the analysis relies primarily on identification of
12 stabilization of groundwater levels. (Declaration of James Blanke in Support of the Department's
13 Response to Watermaster's Motion to Adjust Free Production Allowance for the 2026-2027
14 Water Year (Blanke Decl.) at ¶¶ 18-19.) To show how public trust resources are considered in
15 the process of developing FPA values, the Department recommends that a comparison of
16 measured water levels and water table standards be incorporated into future analyses, along with
17 how that comparison relates to the recommended FPA. (*Id* at ¶ 16.)

18 At well H3-1 the Table H-2 water level criteria was set at a maximum depth of 7 feet
19 below ground. (Johnson Decl. at ¶ 18.) The latest reading available for H2-1 from Mojave Water
20 Agency (June 2, 2026), indicated a depth to water of 64.7 feet below ground. (*Ibid.*) At well H3-2
21 the Table H-2 water maximum depth criteria was set at 1 foot above ground, indicative of surface
22 flow, and the recent well measurement reported a depth to water of 16.8 feet below ground.
23 (*Ibid.*) The hydrographs for these wells indicate that the depths to water have consistently
24 declined over time since the entry of the Judgment and remain below the depths identified in the
25 Judgment. (*Ibid.*)

26 The water levels for the Exhibit H wells for Alto also show that water levels are below
27 where they need to be. The Exhibit H Table H-2 water level criteria are not currently being met at
28 the H1-1 well in Alto below the Mojave Narrows and are only very narrowly met at the H1-2 well

1 upstream of Mojave Narrows Regional Park. (Johnson Decl. at ¶ 32.) The most recent available
2 well readings at H1-2 taken on November 19, 2025¹, indicated a depth to water that was only 0.2
3 feet above the 7-foot maximum depth criteria and trending downward. (*Ibid.*) These are not water
4 levels indicative of a subbasin, Alto, that can be ramped up. The public trust resources in all the
5 subbasins must be considered before ramping up and Alto's levels point to a need to keep FPA
6 where it currently stands or reducing it. The Judgment requires this evaluation and consideration
7 and the Watermaster's brief and Watermaster Engineer's declaration say nothing about the public
8 trust resources in Alto.

9 Therefore, it is clear that the public trust resources in the Basin are currently stressed and
10 with the H1, H2 and H3 levels not being met most of the time, we will continue to see the
11 destruction of most of the riparian habitat in the Basin.

12 ARGUMENT

13 I. THE EVIDENCE SUPPORTS MAINTAINING FPA FOR THE BAJA, ALTO 14 AND OESTE SUBAREAS AT THEIR 2025-2026 WATER YEAR LEVELS

15 For the 2026-2027 Water Year, the evidence of well levels for the Exhibit H wells, as noted
16 above, indicate that maintaining FPA in Baja, Alto and Oeste at their 2024-2025 Water Year
17 levels is warranted. However, in addition, the Watermaster Engineers' PSY calculations are
18 flawed and ignore the known reductions in precipitation since the 1931-1990 period. It is true
19 that this Court did order the Watermaster to use the 1931-1990 period for purposes of calculating
20 PSY, however, the Court did not suggest that the Watermaster must simply ignore the dryer
21 conditions that exist since that time and allow for ramp up of FPA.

22 Watermaster states in its 2026-2027 FPA Motion that the 1931-1990 base period was 6%
23 wetter than the more recent period of 2001-2020. (2026-2027 FPA Motion at p. 7.) This is one of
24 the major explanations for why the Alto and Baja subareas have increased PSY calculations in the
25 2026-2027 FPA Motion. (*Ibid.*). So, while the PSY calculations may be higher because of the
26 Judge's order to use the old base period of 1931-1990, that does not mean FPA must follow suit

27 ¹ California Department of Water Resources, Water Data Library, [Groundwater Level](#)
28 [Report for Station 345012N1172606W002](#)

1 and be ramped up, when all parties and this Court know that PSY is in reality lower than stated by
2 the Watermaster, even if we do not know exactly how much lower. We must not use a legal
3 fiction to deny the reality of what is going on in the Basin. This is especially true when the
4 Judgment is clear that “[i]n considering whether to increase or decrease the Free Production
5 Allowance in a Subarea, Watermaster shall, among other factors, take into consideration for the
6 areas shown on Figure H-1, the Consumptive Use of water by riparian habitat, the protection of
7 public trust resources, including the species listed in Table H-1 and the riparian habitat areas
8 shown on Figure H-1, and whether an increase would be detrimental to the protection of public
9 trust resources.” (Judgment, Exhibit H, ¶ 2a.)

10 The well levels required to be analyzed and used as a measure of health of public trust
11 resources are below healthy levels in both Alto and Baja. (Johnson Decl. at ¶¶ 18-19, 26, 32.) The
12 Fremont cottonwood forest in Camp Cady has been reduced by up to 87% and the cover of
13 mesquite thickets was reduced by 48% since the entry of the Judgment. (*Id.* at ¶ 11.) The
14 Southwestern pond turtle, once abundant, has now disappeared from Camp Cady. (*Id.* at ¶ 20)
15 Plantings cannot solve this problem. (*Id.* at ¶ 14.) Only increased water levels can do so. (*Id.* at ¶
16 14-17.) To increase FPA in Alto and Oeste would be to ignore the reality of the facts on the
17 ground, including the reduced vegetation, reduced wildlife, and the dryer conditions. We should
18 move forward in our protection of the public trust resources of the State of California that belong
19 to all Californians, not backward by increasing FPA in Alto, Oeste or Baja.

20 **II. THE PSY CALCULATIONS FOR ALTO, OESTE AND BAJA ARE ALSO**
21 **FLAWED BECAUSE THEY ARE INCONSISTENT AND RELY ON**
22 **UNSUPPORTED INCREASED SURFACE FLOWS**

23 In addition to ignoring real world harms to public trust resources and the reality of dryer
24 conditions, the Watermaster Engineer uses an inconsistent approach to estimate PSY in different
25 subareas that is not supported by the underlying data and that likely results in double counting of
26 water. (Blanke Decl. at ¶ 18.) For Alto, Centro, and Baja, PSY is determined primarily using
27 revised water-budget calculations. (*Ibid.*) For Este and Oeste, the memorandum departs from the
28 water-budget calculations and instead relies principally on interpretation of groundwater-level
data and assumptions regarding changes in storage. (*Ibid.*) The Watermaster Engineer justified

1 this approach by asserting that water-budget calculations did not correspond to the observed
2 groundwater-level data in those subareas. (*Ibid.*) However, many wells within Este and Oeste
3 show declining trends in groundwater levels. Based on the hydrographs shown in the June 2026
4 Technical Memorandum, approximately 19 wells in Este and 14 wells in Oeste visually show
5 apparent declining groundwater trends. (*Ibid.*) The assertion of little to no change in storage over
6 time in these subareas is not supported by the hydrographs presented. (*Ibid.*)

7 One of the major features of a water budget approach is internal consistency. (Blanke
8 Decl. at ¶ 18.) The flow out of one subarea must be the same as the flow into the adjacent
9 subarea. (*Ibid.*) This internal consistency is lost with the Watermaster Engineer's proposal to
10 ignore a water-budget calculated decline in storage in Este and Oeste based on groundwater
11 levels. (*Ibid.*) From a water-budget perspective, the Watermaster Engineer's approach effectively
12 adds water to the accounting for Este and Oeste so that these two subareas have zero change in
13 storage. (*Ibid.*) But that water must come from somewhere. (*Ibid.*) If that water originates as
14 reduced outflow from both Este and Oeste to Alto, it would reduce inflow to Alto and result in a
15 lower Alto PSY. (*Ibid.*) PSY is best evaluated through an internally consistent accounting
16 framework applied across all subareas. (*Ibid.*)

17 Further, although groundwater-level information is an important component of evaluating
18 basin conditions, groundwater levels do not directly quantify all elements of a subarea water
19 budget, including surface-water inflows, subsurface inflows, recharge, consumptive use, and
20 outflows. (Blanke Decl. at ¶ 18.) Groundwater levels are useful for evaluating and refining a
21 water budget, but they do not replace a water budget. (*Ibid.*) In particular, groundwater data can
22 be highly variable across a subarea and with depth, with relatively few monitoring points across a
23 large area. (*Ibid.*) It is challenging to develop estimates of change in storage based on changes in
24 groundwater levels, as the dataset does not adequately represent all groundwater. (*Ibid.*)
25 Furthermore, there are statistically robust methods for evaluating water levels in large monitoring
26 networks which the Watermaster has not employed here. (Blanke Decl. at ¶ 18.) Watermaster
27 Engineer's attempts to use groundwater levels to set PSY is therefore not the best science to use
28 for setting PSY and it allows the Watermaster Engineer to pick and choose the wells he wishes to

1 use to show his point, likely leading to a distortion in the data and the PSY numbers. (Blanke
2 Decl. at ¶ 15-18.)

3 Finally, the biggest increases in PSY in the Watermaster Engineer's analysis actually
4 comes from alleged increases in surface water inflows. (Blanke Decl. at ¶ 12.) However, in the
5 Water Year 2021-2022 Annual Report, which also relied on the 1931-1990 base period, the Alto
6 surface water inflow of 68,500 acre-feet was based on the average discharge of the Mojave River
7 at The Forks (1931-1990), including 3,000 acre-feet of ungaged inflow. (*Ibid.*) In the current
8 analysis, using the same base period, the Alto surface water inflow has been increased to 73,301
9 acre-feet, with an additional 2,280 acre-feet of Tributary Inflow reported separately, for a
10 combined total of 75,581 acre-feet. (*Ibid.*) This increase of over 7,000 acre-feet is attributed to
11 reliance on Stamos et al. (2001) rather than to a change in the underlying hydrogeologic
12 understanding of the basin. (*Ibid.*) This represents a change in methodology and source selection
13 rather than a response to improved information or improved conditions on the ground. (*Ibid.*) The
14 Stamos report and model has existed for 25 years and there is no reason to start relying on it now,
15 when it is even more outdated than it was in 2021 and it is merely being used to support a higher
16 PSY. (Blanke Decl. at ¶ 11.)

17 **III. THE DEPARTMENT BELIEVES THE WATERMASTER SHOULD WAIT**
18 **FOR A MORE CURRENT MODEL BEFORE CHANGING FPA AND SEEKS**
19 **TO WORK WITH THE WATERMASTER TO EVALUATE AND PREPARE**
20 **THE REGIONAL MOJAVE RIVER BASIN MODEL**

21 As all parties and this Court knows, the Watermaster is engaged in finalizing the new
22 Regional Mojave River Basin Model (RMBM). This model will allow for a consistent, modern
23 and, hopefully, reliable understanding of the current and future conditions in the Basin. (Blanke
24 Decl. at ¶ 20.) With the noted problems associated with the new PSY calculations and the
25 continued destruction of public trust resources due to groundwater pumping, it would make the
26 most sense to wait for the RMBM to be completed before making any changes to FPA. (*Ibid.*)
27 The not yet completed RMBM, if created and peer reviewed properly, will provide much more
28 information to assist in setting PSY and FPA in each of the subareas. (2026-2027 FPA Motion
Exhibit at p.10-12.) Therefore, maintaining the FPA for 2026-2027 Water Year at the same

1 amount as last Water Year is warranted.

2 The Department strongly supports the RMBM. However, the Department has the
3 following recommendations and conclusions regarding the RMBM that must be put in place
4 before the model can be used to change the current approach to the Mojave River Basin: 1)
5 transparency and coordination is critical to development of the RMBM. Transparency and
6 coordination improves model results through incorporation of data and knowledge held by others.
7 Further, early and frequent coordination can identify model issues early, allowing for model
8 refinements. Early identification and correction of issues in the RMBM is important as the
9 Watermaster indicates that the RMBM is expected to be used for the next Watermaster cycle for
10 determining PSY in Alto, Centro, Oeste and Baja; 2) given the importance of the RMBM in its
11 intended future use, the Department recommends allowing for a complete review of the RMBM
12 by the Department and other stakeholders, with at least a six month review period. (Blanke Decl.
13 at ¶ 20.) To support this review, all model input and output files along with associated reports
14 detailing the model development and calibration process should be provided; 3) the RMBM
15 should use the best available data. This includes the use of the Barstow streamflow gauge data.
16 Given that there are no other stream gauges in the area, data from this gauge remains the best
17 available data for streamflow, even with the level of uncertainty indicated by the USGS. A more
18 thorough understanding of potential issues with the data from the gauge can inform how to best
19 use the data in the calibration of the RMBM. For instance, the gauge may be more accurate at
20 identifying periods of no flow, low flow, or high flow; 4) pumping-induced depletions of surface
21 water flow should be quantified using the RMBM and considered in the development of FPA
22 recommendations; and, 5) the hydrologic base period should be consistent with management
23 across the different subareas.

24 CONCLUSION

25 For the foregoing reasons, the Department respectfully requests that the Court 1) set the
26 FPA in the Baja Subarea at 19.5% of BAP for the 2026-2027 water year; 2) set the FPA in the
27 Alto Subarea at 50.4% of BAP for the 2026-2027 water year; 3) set the FPA in the Centro
28 Subarea at 55.8% of BAP for the 2026-2027 Water Year; 4) set the FPA in Oeste at 45% of BAP

1 for the 2026-2027 water year; and, 5) set the FPA in Este at 40% of BAP for the 2026-2027 water
2 year. In addition, the Department requests that the Watermaster be ordered to comply with the
3 requirement in Exhibit H in the Judgment to take into account the harm to public trust resources
4 of any future decisions to ramp up or keep steady any FPA in the various subareas, including
5 taking into account whether groundwater levels are meeting the requirements set out in Exhibit H,
6 including the Exhibit H monitoring wells. Finally, the Department requests that the Court order
7 the Watermaster to comply with the Department's recommendations regarding the RMBM.

8
9 Dated: July 22, 2026

Respectfully submitted,

10 ROB BONTA
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12 ERIC M. KATZ
13 Supervising Deputy Attorney General

14 

15 NOAH GOLDEN-KRASNER
16 Deputy Attorney General
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18 *Department of Fish & Wildlife*

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1 **DECLARATION OF SERVICE BY E-MAIL AND OVERNIGHT COURIER**

2 Case Name: **City of Barstow v. City of Adelanto, et al.**

3 Case No.: **CIV208568 (Lead)**

4 I declare: I am employed in the Office of the Attorney General, which is the office of a member
5 of the California State Bar, at which member's direction this service is made. I am 18 years of
6 age or older and not a party to this matter; my business address is: 300 South Spring Street, Suite
7 1702, Los Angeles, CA 90013-1230. I am familiar with the business practice at the Office of the
8 Attorney General for collection and processing of correspondence for overnight mail with the
9 **Federal Express** courier service. In accordance with that practice, correspondence placed in the
10 internal mail collection system at the Office of the Attorney General is deposited with the
11 overnight courier that same day in the ordinary course of business.

12 On July 22, 2026, I served the **CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE'S**
13 **RESPONSE TO WATERMASTER'S WATER YEAR 2026-2027 FREE PRODUCTION**
14 **ALLOWANCE MOTION**, by transmitting a true copy via electronic mail. In addition, I placed
15 a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the
16 Attorney General, for overnight delivery, addressed as follows:

17 William J. Brunick, Esq.
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I declare under penalty of perjury under the laws of the State of California and the United States
of America, the foregoing is true and correct and that this declaration was executed on
July 22, 2026, at Los Angeles, California.

Ernestina Provencio

Declarant

/s/ Ernestina Provencio

Signature

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.

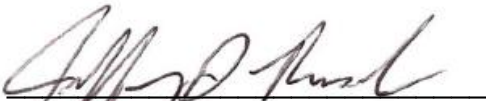
July 23, 2026, the document(s) described below were served pursuant to the Mojave Basin Area Watermaster's Rules and Regulations paragraph 8.B.2 which provides for service by electronic mail upon election by the Party or paragraph 10.D, which provides that Watermaster shall mail a postcard describing 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:

California Department of Fish and Wildlife's Response to Watermaster's Water Year 2026-2027 Free Production Allowance Motion

 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 July 23, 2026 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of July 23, 2026

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Gabrych Family Trust dated October 9, 2007
2006 Old Highway 395
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9366 Joshua Avenue
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Mojave Basin Area Watermaster Service List as of July 23, 2026

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(bboytorjrw@outlook.com;)
Jess Ranch Water Company (via email)
PO Box 542
Trabuco Canyon, CA 92678-0542

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

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Johnston, Harriet and Johnston, Lawrence W.
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Hesperia, CA 92340-1472

Attn: Magdalena Jones
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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
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Attn: Jilin Xiao
Jujube Valley Farm, Inc.
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Juniper Riviera County Water District (via email)
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Katcher, August M. and Marceline
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Kim, Seon Ja
34981 Piute Road
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Koering, Richard and Koering, Donna
40909 Mountain View Road
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Attn: Ryan Gross
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Lake Arrowhead Community Services District
(via email)
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Mojave Basin Area Watermaster Service List as of July 23, 2026

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864 Sapphire Court
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Attn: Robert Lawrence Jr.
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Lee, Doo Hwan
P. O. Box 556
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Lenhart, Ronald and Toni
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Eloy, AZ 85131-3410

Attn: Michael Reese
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Attn: Robert Fimbres (rfimbres@terra-gen.com)
Lockhart Land Holding, LLC (via email)
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Rowland Heights, CA 91748-4890

Attn: Manoucher Sarbaz
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Irvine, CA 92620-

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LHC Alligator, LLC
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Lin, Kuan Jung and Chung, Der-Bing
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Mojave Basin Area Watermaster Service List as of July 23, 2026

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Mojave Basin Area Watermaster Service List as of July 23, 2026

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Mojave Basin Area Watermaster Service List as of July 23, 2026

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Mojave Basin Area Watermaster Service List as of July 23, 2026

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