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12 INDIAN WELLS VALLEY WATER DISTRICT

13
14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 FOR THE COUNTY OF ORANGE, CIVIL COMPLEX CENTER

16 MOJAVE PISTACHIOS, LLC; et al.,

17 Plaintiffs,

18 v.

19 INDIAN WELLS VALLEY WATER
20 DISTRICT; et al.,

21 Defendants.

Case No. 30-2021-01187275-CU-OR-CJC

Assigned For All Purposes To:
The Honorable William Claster, Dept. CX101

**NOTICE OF HEARING ON ORDER TO
SHOW CAUSE REGARDING BASIN
BOUNDARY AND NOTICE OF RIGHT
TO OBJECT TO THE
JURISDICTIONAL BOUNDARY OF
THE INDIAN WELLS VALLEY
GROUNDWATER BASIN
(DWR BULLETIN 118, BASIN NO. 6-054)**

RELATED TO ROA 1258, 1281

Date: June 14, 2024

Time: 1:30 p.m.

Dept.: CX101

28 {00275098.1 }

NOTICE OF HEARING ON ORDER TO SHOW CAUSE REGARDING BASIN BOUNDARY AND NOTICE OF
RIGHT TO OBJECT TO JURISDICTIONAL BOUNDARY OF THE IWV GROUNDWATER BASIN

1 INDIAN WELLS VALLEY WATER
2 DISTRICT,

3 Cross-Complainant,

4 v.

5 ALL PERSONS WHO CLAIM A RIGHT
6 TO EXTRACT GROUNDWATER IN THE
7 INDIAN WELLS VALLEY
8 GROUNDWATER BASIN NO. 6-54
9 WHETHER BASED ON
10 APPROPRIATION, OVERLYING RIGHT,
11 OR OTHER BASIS OF RIGHT, AND/OR
12 WHO CLAIM A RIGHT TO USE OF
13 STORAGE SPACE IN THE BASIN; et al.,

14 Cross-Defendants.

15 SEARLES VALLEY MINERALS INC.,

16 Cross-Complainant,

17 v.

18 ALL PERSONS WHO CLAIM A RIGHT
19 TO EXTRACT GROUNDWATER IN THE
20 INDIAN WELLS VALLEY
21 GROUNDWATER BASIN NO. 6-54
22 WHETHER BASED ON
23 APPROPRIATION, OVERLYING RIGHT,
24 OR OTHER BASIS OF RIGHT, AND/OR
25 WHO CLAIM A RIGHT TO USE OF
26 STORAGE SPACE IN THE BASIN; et al.,

27 Cross-Defendants.

28 AND RELATED CASES.

*[Related to: Case No. 30-2021-01187589-CU-
WM-CXC; Case No. 30-2021-01188089-CU-
WM-CXC; Case No. 30-2022-01239479-CU-
MC-CJC; Case No. 30-2022-01239487-CU-
MC-CJC; Case No. 30-2022-01249146-CU-
MC-CJC]*

Complaint Filed: November 19, 2019
Phase 1 Trial Date: April 28, 2025

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TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on April 15, 2024, the Court issued an Order to Show Cause Regarding Basin Boundary and Notice of Right to Object to the Jurisdictional Boundary of the Indian Wells Valley Groundwater Basin (DWR Bulletin 118, Basin No. 6-054). Attached as Exhibit “A” and incorporated by this reference is a conformed copy of the Court’s April 15, 2024 Order to Show Cause.

PLEASE TAKE FURTHER NOTICE that through the Order to Show Cause, the Court ordered, “Any party who contends that the boundaries of the Indian Wells Valley Groundwater Basin and the area to be adjudicated in this proceeding is not as described by [the California Department of Water Resources (“DWR”)] in Bulletin 118 as Groundwater Basin No. 6-054, shall, on or before **May 22, 2024**, file a statement, brief, and/or declaration with the Court describing and/or attaching the evidence that supports any facts serving as the basis for that party’s objection to the DWR Bulletin 118 boundary of the Indian Wells Valley Groundwater Basin to be used in this proceeding.”

PLEASE TAKE FURTHER NOTICE that the Court set the Order to Show Cause for hearing on **June 14, 2024, at 1:30 p.m., in Department CX101** of the Orange County Superior Court, Civil Complex Center, located at 751 West Santa Ana Boulevard, Santa Ana, California 92701.

DATED: April 16, 2024

MURPHY & EVERTZ LLP

By: /s/ Emily L. Madueno

Douglas J. Evertz
Emily L. Madueno
Attorneys for Defendant, Cross-Complainant, &
Cross-Defendant
INDIAN WELLS VALLEY WATER DISTRICT

EXHIBIT A

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

APR 15 2024

DAVID H. YAMASAKI, Clerk of the Court

BY: _____ DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE, CIVIL COMPLEX CENTER

MOJAVE PISTACHIOS, LLC; et al.,

Plaintiffs,

v.

INDIAN WELLS VALLEY WATER
DISTRICT; et al.,

Defendants.

Case No. 30-2021-01187275-CU-OR-CJC

Assigned For All Purposes To:
The Honorable William Claster, Dept. CX101

~~PROPOSED~~ ORDER TO SHOW
CAUSE REGARDING BASIN
BOUNDARY AND NOTICE OF RIGHT
TO OBJECT TO THE
JURISDICTIONAL BOUNDARY OF
THE INDIAN WELLS VALLEY
GROUNDWATER BASIN
(DWR BULLETIN 118, BASIN NO. 6-054)

Date: June 14, 2024

Time: 1:30 p.m.

Dept.: CX101

{00274087.1 }

[PROPOSED] ORDER TO SHOW CAUSE RE: BASIN BOUNDARY AND NOTICE OF RIGHT TO OBJECT
TO JURISDICTIONAL BOUNDARY OF THE INDIAN WELLS VALLEY GROUNDWATER BASIN

1 INDIAN WELLS VALLEY WATER
2 DISTRICT,

3 Cross-Complainant,

4 v.

5 ALL PERSONS WHO CLAIM A RIGHT
6 TO EXTRACT GROUNDWATER IN THE
7 INDIAN WELLS VALLEY
8 GROUNDWATER BASIN NO. 6-54
9 WHETHER BASED ON
10 APPROPRIATION, OVERLYING RIGHT,
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13 STORAGE SPACE IN THE BASIN; et al.,

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15 SEARLES VALLEY MINERALS INC.,

16 Cross-Complainant,

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18 ALL PERSONS WHO CLAIM A RIGHT
19 TO EXTRACT GROUNDWATER IN THE
20 INDIAN WELLS VALLEY
21 GROUNDWATER BASIN NO. 6-54
22 WHETHER BASED ON
23 APPROPRIATION, OVERLYING RIGHT,
24 OR OTHER BASIS OF RIGHT, AND/OR
25 WHO CLAIM A RIGHT TO USE OF
26 STORAGE SPACE IN THE BASIN; et al.,

27 Cross-Defendants.

28 AND RELATED CASES.

Complaint Filed: November 19, 2019
Phase 1 Trial Date: April 28, 2025

*[Related to: Case No. 30-2021-01187589-CU-
WM-CXC; Case No. 30-2021-01188089-CU-
WM-CXC; Case No. 30-2022-01239479-CU-
MC-CJC; Case No. 30-2022-01239487-CU-
MC-CJC; Case No. 30-2022-01249146-CU-
MC-CJC]*

ORDER TO SHOW CAUSE REGARDING BASIN BOUNDARY
AND NOTICE OF RIGHT TO OBJECT TO THE JURISDICTIONAL BOUNDARY
OF THE INDIAN WELLS VALLEY GROUNDWATER BASIN
(DWR BULLETIN 118, BASIN NO. 6-054)

Cross-Complainant Indian Wells Valley Water District (“District”) seeks, through its Cross-Complaint, a comprehensive adjudication of all rights to extract groundwater from, and to use storage space in, the Indian Wells Valley Groundwater Basin as defined by the California Department of Water Resources (“DWR”) in California’s Groundwater (known as “Bulletin 118”), Update 2020, as Groundwater Basin No. 6-054 and as shown on the attached DWR map.

Any party who contends that the boundaries of the Indian Wells Valley Groundwater Basin and the area to be adjudicated in this proceeding is not as described by DWR in Bulletin 118 as Groundwater Basin No. 6-054, shall, on or before **May 22, 2024**, file a statement, brief, and/or declaration with the Court describing and/or attaching the evidence that supports any facts serving as the basis for that party’s objection to the DWR Bulletin 118 boundary of the Indian Wells Valley Groundwater Basin to be used in this proceeding.


Any party objecting to the DWR Bulletin 118 boundary of the Indian Wells Valley Groundwater Basin shall also personally appear and show cause for that party’s objection at the hearing scheduled as follows:

Hearing Date	Hearing Time	Department
June 14, 2024	1:30 p.m.	CX101
Location of Hearing: Orange County Superior Court, Civil Complex Center 751 West Santa Ana Boulevard, Santa Ana, California 92701		

The District to give notice.

IT IS SO ORDERED.

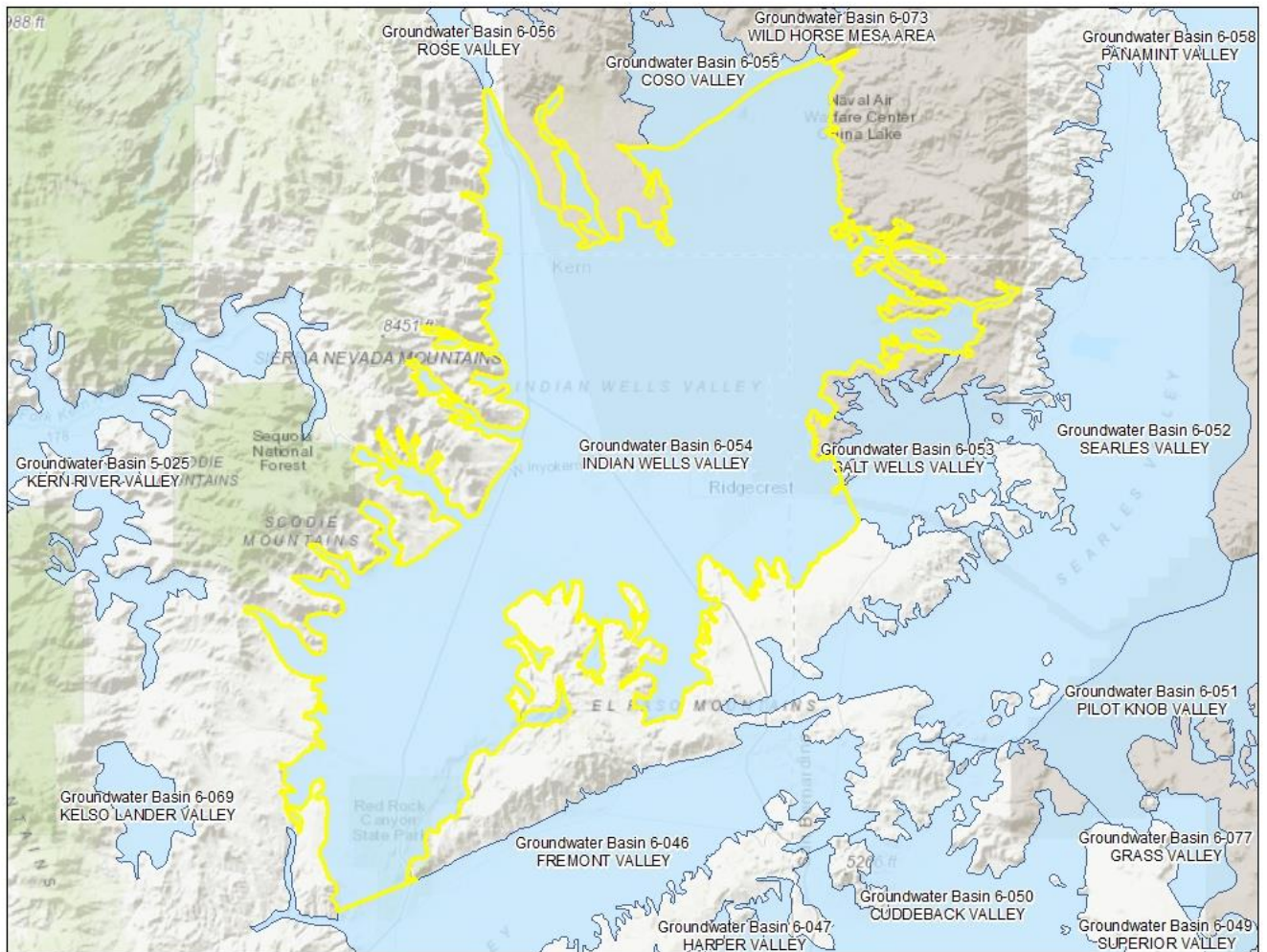
Dated: 4-15-24



The Honorable William Claster
 JUDGE OF THE SUPERIOR COURT

Map

6-054 – INDIAN WELLS VALLEY



[Map Link](#)

References

This table contains the reference listings for the citations noted in the Summary. Each reference contains the name of the reference and the publication date. For more information, email sgmps@water.ca.gov.

<u>Citation</u>	<u>Pub Date</u>
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1 **PROOF OF SERVICE**

2 *Mojave Pistachios, LLC; et al. v. Indian Wells Valley Water District; et al.*

3 Orange County Superior Court – Civil Complex Center

4 The Honorable William Claster, Dept. CX101

5 Case No. 30-2021-01187275-CU-OR-CJC

6 Related to: Case No. 30-2021-01187589-CU-WM-CXC; Case No. 30-2021-01188089-
7 CU-WM-CXC; Case No. 30-2022-01239479-CU-MC-CJC; Case No. 30-2022-01239487-CU-
8 MC-CJC; & Case No. 30-2022-01249146-CU-MC-CJC

9 I am a resident of the State of California, over 18 years of age and not a party to this
10 action. I am employed in the County of Orange, State of California. My business address is 650
11 Town Center Drive, Suite 550, Costa Mesa, CA 92626.

12 On April 16, 2024, I served true copies of the following document(s) described as
13 **NOTICE OF HEARING ON ORDER TO SHOW CAUSE REGARDING BASIN
14 BOUNDARY AND NOTICE OF RIGHT TO OBJECT TO THE JURISDICTIONAL
15 BOUNDARY OF THE INDIAN WELLS VALLEY GROUNDWATER BASIN (DWR
16 BULLETIN 118, BASIN NO. 6-054)** on the interested parties in this action as follows:

17 **PLEASE SEE SERVICE LIST**

18 **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons
19 at the addresses listed above and placed the envelope for collection and mailing, following our
20 ordinary business practices. I am readily familiar with Murphy & Evertz LLP’s practice for
21 collecting and processing correspondence for mailing. On the same day that the correspondence
22 is placed for collection and mailing, it is deposited in the ordinary course of business with the
23 United States Postal Service, in a sealed envelope with postage fully prepaid.

24 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to
25 be sent from e-mail address aconstant@murphyevertz.com to the persons at the e-mail addresses
26 listed in the Service List. I did not receive, within a reasonable time after the transmission, any
27 electronic message or other indication that the transmission was unsuccessful.

28 **BY POSTING:** I transmitted the document(s) listed above to the Case Anywhere via electronic
transfer through the Internet, consistent with the Court’s December 2, 2022 Order Authorizing
Electronic Filing and Service – Case Anywhere LLC.

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

Executed on **April 16, 2024**, at Costa Mesa, California.



Alexandra Constant