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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG -8 2016

J. Castillo

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

CITY OF BARSTOW, et al.,
Plaintiff,

vs.

CITY OF ADELANTO, et al.,
Defendant,

CASE NO. CIV 208568

~~(PROPOSED)~~ ORDER GRANTING
MOTION TO ADJUST FREE
PRODUCTION ALLOWANCE FOR
WATER YEAR 2016-2017

Assigned for All Purposes to:
Hon. Gloria Connor Trask
Dept. 1

AND RELATED CROSS ACTIONS

The above-entitled action came on regularly for hearing on July 1, 2016, before the Honorable Gloria Connor Trask, Judge presiding, on the motion of defendant/cross-complainant, MOJAVE WATER AGENCY, acting in its capacity as Watermaster, pursuant to the Judgment entered January 10, 1996, Paragraph 24(o), seeking an adjustment in Free Production Allowance. William J. Brunick, (via Court Call) and Lee McElhaney, Brunick, McElhaney & Kennedy PLC appeared on behalf of the Mojave Water Agency. Marilyn H. Levin, Deputy Attorney General, Office of the Attorney General of the State of California, appeared on behalf of the Department of Fish and Wildlife. The court having reviewed and considered the moving and opposing papers, and the arguments of counsel, and

**(PROPOSED) ORDER GRANTING MOTION TO
ADJUST FREE PRODUCTION ALLOWANCE FOR WATER YEAR 2016-2017**

1 good cause appearing, hereby GRANTS the motion on the following terms as to the Subareas defined
2 in the Judgment of January 10, 1996 for the Water Year 2016-17:

3 **ALTO SUBAREA**

4 Free Production Allowance (FPA) shall remain at 60% of Base Annual Production (BAP) for
5 Municipal and Industrial (M&I) producers, and at 80% of BAP for Agricultural producers (i.e., those
6 who produce water for the irrigation of crops, pursuant to the motion and order granted for Water Year
7 2003-04).

8 **BAJA SUBAREA**

9 FPA shall be reduced from 50% to 45% of BAP for all producers for 2016-17.

10 **CENTRO SUBAREA**

11 FPA shall remain at 80% of BAP for all producers.

12 **ESTE SUBAREA**

13 FPA shall remain at 80% of BAP for all producers.

14 **OESTE SUBAREA**


15 FPA shall remain at 80% of BAP for Agricultural producers, and at 60% of BAP for Municipal
16 and Industrial (M&I) producers for 2016-17. Implementation of the reduction to 60% for M&I
17 producers, however, will be held in abeyance until water production in Oeste, excluding
18 production from Well 14, exceeds 3,921 acre-feet. When considering the Watermaster proposal
19 for 2017-2018, the Court will be willing to reconsider its 2014 ruling that the trigger for
20 instituting further Rampdown for M&I produces in this Region should be held in abeyance
21 until production in Oeste, excluding Well 14, exceeds a specified amount, and may entertain, if
22 proposed by the Watermaster, the Watermaster's prior proposal that Rampdown be instituted
23 based on overall production affecting Oeste, including production from Well 14.

24 ///
25 ///
26 ///

1 Watermaster shall annually review conditions in all Subareas and continue to report to the
2 Court and make recommendations as appropriate.

3 **IT IS SO ORDERED.**

4 Date: ~~July~~ ^{August} 5, 2016


5 _____
6 Gloria Connor Trask,
7 Judge of the Superior Court
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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 August 11, 2016, 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:

ORDER GRANTING MOTION TO ADJUST FREE PRODUCTION ALLOWANCE FOR WATER YEAR 2016-2017

 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 August 11, 2016 at Apple Valley, California.



Valerie Wiegstein

Mojave Basin Area Watermaster Service List as of August 11, 2016

35250 Yermo, LLC
11273 Palms Blvd., Ste. D.
Los Angeles, CA 90066-2122
Attn: Roberto Munoz

Abbott, Carron (via email)
8325 Beckwith Way
Citrus Heights, CA 95610-3303
(carron.l.abbott@gmail.com)

Abshire, David V.
P. O. Box # 2059
Lucerne Valley, CA 92356-2059
Attn: John McCallum

Adelanto, City Of (via email)
11600 Air Expressway
Adelanto, CA 92301-1914
Attn: Wilson So (wso@ci.adelanto.ca.us)

Ades, John and Devon (via email)
(DevonAdes@verizon.net)

Aerochem, Inc. (via email)
4001 El Mirage Rd.
El Mirage, CA 92531-9489
Attn: Kent T. Christenson
(Kchristensen@ducommun.com)

Agcon, Inc. (via email)
17671 Bear Valley Road
Hesperia, CA 92345
Attn: Lori Clifton
(lclifton@robarenterprises.com)

Ahn Revocable Living Trust (via email)
P. O. Box 45
Apple Valley, CA 92307-0001
Attn: Chun Soo and Wha Ja Ahn
(chunsooahn@naver.com)

Ahn Revocable Trust (via email)
29775 Hunter Road
Murrieta, CA 92563-6710
Attn: Simon Ahn (ssahn58@gmail.com)

Ahn, Chun Soo and David (via email)
19130 San Jacinto Way
Apple Valley, CA 92308-6748
Attn: David Ahn (davidahnmd@gmail.com,
chunsooahn@naver.com)

Ahn, Chun Soo and Wha Ja (via email)
P. O. Box 45
Apple Valley, CA 92307-0001
Attn: Chun Soo Ahn
(chunsooahn@naver.com)

Ake, Charles J. and Marjorie M.
2301 Muriel Drive, Apt. 67
Barstow, CA 92311-6757

American States Water Company
1920 W. Corporate Way
Anaheim, CA 92801-5373
Attn: Ana Chavez

Anderson, Ross C. and Betty J.
13853 Oakmont Dr.
Victorville, CA 92395-4832

Apple Valley Foothill County Water District
(via email)
22545 Del Oro Road
Apple Valley, CA 92308-8206
Attn: Brenda Bitonti (avfcwd@hotmail.com)

Apple Valley Heights County Water District
9429 Cerra Vista
Apple Valley, CA 92308-9005
Attn: Gail Hunter

Apple Valley View Mutual Water Company
P. O. Box 3680
Apple Valley, CA 92307
Attn: Emely and Joe Saltmeris

Apple Valley, Town Of
14955 Dale Evans Parkway
Apple Valley, CA 92307-3061
Attn: Lance Miller

Aqua Capital Management, LP (via email)
444 Regency Parkway Dr. Suite 300
Omaha, NE 68114-3779
Attn: David L. Penrice
(dpenrice@acmwater.com)

Aqua Capital Management, LP-Agriculture
(via email)
444 Regency Parkway Dr. Suite 300
Omaha, NE 68114-3779
Attn: David L. Penrice
(dpenrice@acmwater.com)

Aqua Capital Management, LP-Industrial (via
email)
444 Regency Parkway Dr. Suite 300
Omaha, NE 68114-3779
Attn: David L. Penrice
(dpenrice@acmwater.com)

Archibek, Eric
41717 Silver Valley Road
Newberry Springs, CA 92365-9517

Arguelles, Alfredo
48001 Silver Valley Road
Newberry Springs, CA 92365
Attn: Angel Arguelles

Atchison, Topeka, Santa Fe Railway Company
200 North Avenue H
Barstow, CA 92311-2553
Attn: Jason Murray

Atchison, Topeka, Santa Fe Railway
Company (via email)
200 North Avenue H
Barstow, CA 92311-2553
Attn: Dean Forshee (Dean.Forshee@bnsf.com)

Avila, Angel and Evalia
P.O. Box 1723
Lucerne Valley, CA 92356-

Bailey 2007 Living Revocable Trust, Sheré R.
(via email)
10428 National Blvd.
Los Angeles, CA 90034-
Attn: Sheré R. Bailey
(LegalPeopleService@gmail.com)

Bar H Mutual Water Company (via email)
P. O. Box 844
Lucerne Valley, CA 92356-0844
Attn: Daniel Shaw (barhwater@gmail.com)

Barber, James B.
43774 Cottonwood Road
Newberry Springs, CA 92365

Bar-Len Mutual Water Company (via email)
2743 Apollo Dr
Barstow, CA 92311-9761
Attn: Alyssa Steinhibel
(barlenwater@hotmail.com)

Mojave Basin Area Watermaster Service List as of August 11, 2016

Baron, Susan and Palmer, Curtis
9001 Thoroughbred Court
Louisville, KY 40291-1300
Attn: Curtis Palmer

Barstow, City of (via email)
220 East Mountain View Street -Suite A
Barstow, CA 92311
Attn: Jennifer Riley (jriley@barstowca.org)

Bass Trust, Newton T.
14924 Chamber Lane
Apple Valley, CA 92307
Attn: Barbara Davison

Bastianon Revocable Trust
9484 Iroquois Rd.
Apple Valley, CA 92308-9151
Attn: Remo E. Bastianon

Beebe, Robert W. and Dorothy K.
10111 Choicana
Hesperia, CA 92345

Beinschroth Family Trust
18794 Sentenac Road
Apple Valley, CA 92307-5342
Attn: Mike Beinschroth

Bell, Chuck (via email)
P. O. Box 193
Lucerne Valley, CA 92356-0193
(chuckb@sisp.net)

Best, Byron L.
21461 Camino Trebol
Lake Forest, CA 92630-2011

Borgogno Revocable Living Trust
34690 Yarrow Court
Winchester, CA 92596-8793
Attn: Steve Borgogno

Borja, Leonil T. and Tital L.
20784 Iris Canyon Road
Riverside, CA 92508-

Bowman, Edwin L.
10691 Deerfield Drive
Cherry Valley, CA 92223-5599

Bracht, William F. and Alexander, Alicia M.
12439 Addison Street
N. Hollywood, CA 91607
Attn: Alicia Alexander

Brommer Family Trust
101 S. Dakota St.
Steen, MN 56173-
Attn: Marvin and Carroll Brommer

Brown, Bobby G. and Valeria R.
26776 Vista Road
Helendale, CA 92342-9789

Brown, Jennifer
10001 Choiceana Ave.
Hesperia, CA 92345

Brown, Ronald A.
10263 Leona Avenue
Leona Valley, CA 93551-7335

Brown, Sue and Doug
2414 El Mirage Road
El Mirage, CA 92301

Bruneau, Karen
19575 Bear Valley Rd.
Apple Valley, CA 92308-5104

Bryant, Ian (via email)
15434 Sequoia Avenue - Office
Hesperia, CA 92345-1667
(irim@aol.com)

Budget Finance Company
1849 Sawtelle Blvd., Ste. 700
Los Angeles, CA 90025-7012
Attn: Noah Furie

Bunnell, Dick
8589 Volga River Circle
Fountain Valley, CA 92708-

Bush, Kevin (via email)
7768 Sterling Ave.
San Bernardino, CA 92410-4741
(kjbco@yahoo.com)

Calico Junction (via email)
P. O. Box 1923
Barstow, CA 92312-1923
Attn: Harvey J. Walker Jr.
(harvwalker@hotmail.com)

Calico Lakes Homeowners Association (via email)
11860 Pierce Street, Suite 100
Riverside, CA 92505-5178
Attn: Lyndsey Dyer (Ldyer@pcmineternet.com)

California Department Of Transportation (via email)
464 W. 4th Street
San Bernardino, CA 92401-1407
Attn: Brenda D. Anderson
(brenda.anderson@dot.ca.gov)

CalMat Company
405 N. Indian Hill Blvd.
Claremont, CA 91711
Attn: Robert W. Bowcock

CalPortland Company - Agriculture (via email)
2025 East Financial Way
Glendora, CA 91741-4692
Attn: Carol Deck (cdeck@calportland.com)

CalPortland Company - Oro Grande Plant (via email)
2025 East Financial Way
Glendora, CA 91741-4692
Attn: Carol Deck (cdeck@calportland.com)

Camanga, Tony and Marietta
48924 Bedford Rd.
Newberry Springs, CA 92365

Campbell, M. A. and Dianne
P. O. Box 12526
Houston, TX 77245-1163

Mojave Basin Area Watermaster Service List as of August 11, 2016

Carlton, Susan
P.O. Box 193
Yemro, CA 92398-0193

Casa Colina Foundation
P.O. Box 1760
Lucerne Valley, CA 92356
Attn: Kevin Mangold

CDFW - Camp Cady (via email)
407 W Line St.
Bishop, CA 93514-
Attn: Alisa Ellsworth
(Alisa.Ellsworth@wildlife.ca.gov)

CDFW - Mojave Narrows Regional Park
777 East Rialto Avenue
San Bernardino, CA 92415-0763
Attn: AJ Gerber

CDFW - Mojave River Fish Hatchery (via email)
12550 Jacaranda Avenue
Victorville, CA 92395-5183
Attn: Greg Williams
(greg.williams@wildlife.ca.gov)

Cemex, Inc. (via email)
16888 North E. Street
Victorville, CA 92394-2999
Attn: Darlene Bray
(darlenemarie.bray@cemex.com)

Center Water Company
P. O. Box 616
Lucerne Valley, CA 92356-0616
Attn: Henry Godwin

CF Properties, LLC
537 Lindon Lane, #C
Nimpo, CA 93444-
Attn: Carin McKay

Chafa, Larry R. and Delinda C.
P. O. Box 796
Ronan, MT 59864-0796

Chamisal Mutual Water Company
P. O. Box 395
Adelanto, CA 92301-0395
Attn: Mary M Ross

Cheyenne Lake, Inc. (via email)
975 South Firefly Dr.
Anaheim, CA 92808-
Attn: Carl Pugh (cpugh3@aol.com)

Choi, Yong Il and Joung Ae
34424 Mountain View Road
Hinkley, CA 92347-9412

Chong, Joan (via email)
35000 Indian Trail
Helendale, CA 92342-9782
(joancksp@hotmail.com)

Christison, Joel
P. O. Box 9048
Alta Loma, CA 91701-1048

Clark, Arthur
13603 Cabrillo Ct.
Fontana, CA 92336-3451

Club View Partners
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671
Attn: Manoucher Sarbaz

Conner, William H.
11535 Mint Canyon Rd.
Agua Dulce, CA 91390-4577

Contratto, Ersula
21814 Hinkley Road
Barstow, CA 92311

Corbridge, Linda S.
8743 Vivero St
Rancho Cucamonga, CA 91730-
Attn: George Starke

Crandall, Esther
2196 Kendall Drive, Apt. 213
San Bernardino, CA 92407-4644

Cross, Francis and Beverly
156 W 100 N
Jerome, ID 83385-5256

Cross, Sharon I.
P. O. Box 922
Lucerne Valley, CA 92356

Crystal Lakes Property Owners Association
P. O. Box 351
Yermo, CA 92398
Attn: Alessia Morris

Cunningham, Jerry (via email)
59639 Saskatoon Lane
Bend, OR 97702-9643
(jerryc5569@gmail.com)

DaCosta, Dean Edward (via email)
32307 Foothill Road
Lucerne Valley, CA 92356-8526
(dacostadean@gmail.com)

Daggett Community Services District (via email)
P. O. Box 308
Daggett, CA 92327
Attn: Beryl Bell (daggettcsd@aol.com)

Daggett Ranch, LLC
P. O. Box 112
Daggett, CA 92327-0112
Attn: Steve and Dana Rivett

Dahlquist, George R. (via email)
8535 Vine Valley Drive
Sun Valley, CA 91352-
(ron@sc-studios.com)

Darr, James S.
40716 Highway 395
Boron, CA 93516

De Jong Family Trust
46561 Fairview Road
Newberry Springs, CA 92365
Attn: Alan L. De Jong

Mojave Basin Area Watermaster Service List as of August 11, 2016

Dennison, Quentin D. - Clegg, Frizell and Joke
44579 Temescal Street
Newberry Springs, CA 92365
Attn: Randy Wagner

Desert Dawn Mutual Water Company
P. O. Box 392
Lucerne Valley, CA 92356-0392
Attn: Marie McDaniel

Desert Springs Mutual Water Company
P. O. Box 396
Lucerne Valley, CA 92356-0396
Attn: Denise Courtney

DJC Corporation
35300 Old Woman Springs Road
Lucerne Valley, CA 92356-7706
Attn: Magdalena Jones

Docimo Living Trust, Allen Lee
48275 Silver Valley Road
Newberry Springs, CA 92365-8505
Attn: Allen Lee Docimo

Dolch, Robert and Judy
10533 Lanigan Rd
Apple Valley, CA 92308-

Donaldson, Jerry and Beverly
16736 B Road
Delta, CO 81416-8501

Dora Land, Inc.
P. O. Box 1405
Apple Valley, CA 92307-0026
Attn: Jeffery Lidman

Dorrance, David W. and Tamela L.
2027 Valleria Court
Sugar Land, TX 77479-
Attn: David Dorrance

Dossey, D. A.
137 Woodhill Drive
Morehead, KY 40351-7860

Dowell, Leonard
5125 2nd Avenue
Los Angeles, CA 90043-1948

D'Silva, Melanie
Ravinia Drive, Suite 1450
Atlanta, GA 30346-2117

Evenson, Edwin H. and Joycelaine C.
P. O. Box 66
Oro Grande, CA 92368

Evert Family Trust (via email)
19201 Parker Circle
Villa Park, CA 92861-1302
Attn: Stephanie L. Evert
(severt2166@aol.com)

Eygnor, Robert E. and Patsy C.
23032 Bryman Road
Oro Grande, CA 92368-9642

Federal Bureau of Prisons, Victorville (via email)
P. O. Box 5400
Adelanto, CA 92301-5400
Attn: Brett Jurgensen (bjurgensen@bop.gov)

Fejfar, Monica Kay
34080 Ord Street
Newberry Springs, CA 92365-9791

Fernandez, Arturo (via email)
8121 Spectrum
Irvine, CA 92618-7359
(afc30@yahoo.com)

Ferro, Dennis and Norma
PSC 814 Box 22
FPO, AE 09865-0001

First CPA LLC
46669 Valley Center Road
Newberry Springs, CA 92365-9748
Attn: Alex and Jerrica Liu

Fischer Revocable Living Trust (via email)
1372 West 26th Street
San Bernardino, CA 92405-
Attn: Carl Fischer (carsfischer@hotmail.com;
fischer@fischercompanies.com)

Fisher Trust, Jerome R.
7603 Hazeltine
Van Nuys, CA 91405
Attn: Jerome Fisher

Frates, D. Cole (via email)
113 S La Brea Ave., 3rd Floor
Los Angeles, CA 90036-2998
(cfrates@renewablegroup.com)

Frazier, et al.
8707 Deep Creek Rd
Apple Valley, CA 92308-
Attn: Martin Frazier

Friend, Joseph and Deborah
P. O. Box 253
Barstow, CA 92312

Fundamental Christian Endeavors, Inc. (via email)
49191 Cherokee Road
Newberry Springs, CA 92365
Attn: Mark Asay (bettybrock@ironwood.org;
waltbrock@ironwood.org)

Gabrych, Eugene
2006 Old Highway 395
Fallbrook, CA 92028

Gabrych, Eugene
2006 Old Highway 395
Fallbrook, CA 92028-8816

Gabrych, Eugene
34650 Minneola Rd
Newberry Springs, CA 92365-
Attn: Mitch Hammack

Gaeta, Miguel and Maria
9366 Joshua Avenue
Lucerne Valley, CA 92356-8273

Mojave Basin Area Watermaster Service List as of August 11, 2016

Gaeta, Trinidad
10551 Dallas Avenue
Lucerne Valley, CA 92356
Attn: Jay Storer

Gaines Family Trust, Jack and Mary (via email)
8225 Marina Pacifica Drive N.
Long Beach, CA 90803-7006
Attn: Bruce Gaines (bgaines4@verizon.net)

Garcia, Daniel
9899 Summerhill Rd.
Alta Loma, CA 91737

Garg, Om P.
163 Pavilion Park
Irvine, CA 92618-

Gayjikian, Samuel and Hazel
12019 Kalnor Ave
Norwalk, CA 90650-
Attn: Brent Peterson

GenOn Energy, Inc.
P. O. Box 337
Daggett, CA 92327-0337
Attn: Steve Swift

Golden State Water Company (via email)
1920 W. Corporate Way
Anaheim, CA 92801-5373
Attn: Nereida Gonzalez
(ana.chavez@gswater.com)

Gordon Acres Water Company
P. O. Box 1035
Lucerne Valley, CA 92356-1035
Attn: Denise Johnson

Gray, George F. and Betty E.
975 Bryant
Calimesa, CA 92320-1301

Green Acres Estates
P. O. Box 2681
Apple Valley, CA 92307
Attn: Elizabeth Keith

Grill, Nicholas P. and Millie D. (via email)
P. O. Box 306
Hinkley, CA 92347-0306
(terawatt@juno.com)

Gubler, Hans
P. O. Box 3100
Landers, CA 92285

Gulbranson, Merlin (via email)
511 Minnesota Ave W
Gilbert, MN 55741-
Attn: Tamara J Skoglund
(TamaraMcKenzie@aol.com)

Gutierrez, Jose and Gloria
24116 Santa Fe
Hinkley, CA 92347

Haas, Bryan C. and Hinkle, Mary H. (via email)
14730 Tigertail Road
Apple Valley, CA 92307-
Attn: Bryan C. Haas and Mary H. Hinkle
(resrvc4you@aol.com)

Haas, Bryan C. and Hinkle, Mary H. (via email)
14730 Tigertail Road
Apple Valley, CA 92307-5249
Attn: Bryan C. Haas and Mary H. Hinkle
(resrvc4you@aol.com)

Hackbarth, Edward E. (via email)
293 Winfield Circle
Corona, CA 92880-6943
(hackbarthco@sbcglobal.net)

Halanna Equities III
233 Sansome Street, Suite 928
San Francisco, CA 94104-2315
Attn: Alexandra Lioanag

Hal-Dor Ltd.
35300 Old Woman Springs Road
Lucerne Valley, CA 92356
Attn: Magdalena Jones

Hamilton Family Trust
19945 Round Up Way
Apple Valley, CA 92308-8338
Attn: Doug and Cheryl Hamilton

Handrinos, Nicole A.
1140 Parkdale Rd.
Adelanto, CA 92301-9308
Attn: William Handrinos

Hanify, Michael D., dba - White Bear Ranch
PO BOX 1021
Yermo, CA 92398-
Attn: Donald F. Hanify

Hanson Aggregates WRP, Inc. (via email)
P. O. Box 1115
Corona, CA 92878-1115
Attn: Matt Wood (Matt.Wood@Hanson.com)

Hareson, Nicholas and Mary
1737 Anza Avenue
Vista, CA 92084-3236
Attn: Mary Jane Hareson

Harmsen Family Trust (via email)
23920 Community Blvd.
Hinkley, CA 92347-9721
Attn: Ruth Ann Harmsen
(harmsecow@aol.com)

Harper Lake Company VIII (via email)
43880 Harper Lake Road
Hinkley, CA 92347
Attn: Glen King (Glen.King@fpl.com)

Harper Lake, LLC (via email)
7151 Coriander Trail
Oak Hills, CA 92344-9029
Attn: Henry Orlosky
(HORlosky@HarperLakeLLC.com)

Harter, Joe and Sue
34530 Minneola Road
Newberry Springs, CA 92365-9191

Harvey, Lisa M. (via email)
P. O. Box 1187
Lucerne Valley, CA 92356-
(harvey1.92356@gmail.com)

Hass, Pauline L.
P. O. Box 273
Newberry Springs, CA 92365-

Mojave Basin Area Watermaster Service List as of August 11, 2016

Helendale Community Services District (via email)
P. O. Box 359
Helendale, CA 92342-0359
Attn: Craig Carlson (kcox@helendalecsd.org; msimpson@helendalecsd.org)

Helendale School District
P. O. Box 249
Helendale, CA 92342
Attn: Deanna Dibble

Henderson, Michael (via email)
11263 Pinon Avenue
Hesperia, CA 92345-2258
(ChristMuscle@aol.com)

Henderson, Michael - Industrial (via email)
11263 Pinon Avenue
Hesperia, CA 92345-2258
Attn: Michael Henderson
(ChristMuscle@aol.com)

Hendley, Rick and Barbara
P. O. Box 144
Yermo, CA 92398-0144
Attn: Jim Martin

Hensley, Mark P.
35523 Mountain View Rd
Hinkley, CA 92347-9613

Hert, Scott
P. O. Box 590
Lucerne Valley, CA 92356-0590

Hesperia - Golf Course, City of (via email)
9700 Seventh Avenue
Hesperia, CA 92345-3493
Attn: Jeremy McDonald
(slantsberger@cityofhesperia.us; jmcdonald@cityofhesperia.us)

Hesperia Venture I, LLC (via email)
P. O. Box 645
Calimesa, CA 92320-0645
Attn: Janie Martines (Jmartines@tvglc.com)

Hesperia Water District (via email)
9700 7th Avenue
Hesperia, CA 92345-3493
Attn: Jeremy McDonald
(tsouza@cityofhesperia.us)

Hesperia, City of (via email)
9700 Seventh Avenue
Hesperia, CA 92345-3493
Attn: Jeremy McDonald
(slantsberger@cityofhesperia.us; rashby@cityofhesperia.us)

Hettinga, Hein and Ellen (via email)
14651 South Grove Ave.
Ontario, CA 91762-7704
Attn: Patricia Mohr (ghd123@earthlink.net)

Hi Desert Mutual Water Company
32805 Sylvan Ave
Barstow, CA 92311
Attn: Ed Knauff

Hiett, Harry L. (via email)
P. O. Box 272
Daggett, CA 92327-0272
(lechiatt@hotmail.com)

High Desert Associates, Inc.
405 North Indian Hill Blvd.
Claremont, CA 91711-4614
Attn: Robert W. Bowcock

Hi-Grade Materials Company (via email)
17671 Bear Valley Road
Hesperia, CA 92345-4902
Attn: Lori Clifton
(lclifton@robarenterprises.com)

Hilarides 1998 Revocable Family Trust
37404 Harvard Road
Newberry Springs, CA 92365
Attn: Frank Hilarides

Hill Family Trust and Hill's Ranch, Inc. (via email)
25749 Community Blvd.
Barstow, CA 92311-
Attn: Sylvia Pile (HillsRanch@gmail.com; Ecandlish@gmail.com)

Hitchin Lucerne, Inc.
P. O. Box 749
Lucerne Valley, CA 92356
Attn: Mary Thomas

Ho, Ting-Seng and Ah-Git
P.O. Box 20001
Bakersfield, CA 93390-0001

Hollister, Robert H. and Ruth M.
P. O. Box 2
Newberry Springs, CA 92365-0002
Attn: Joan Rohrer

Holway Jeffrey R and Patricia Gage (via email)
1401 Wewatta St. #1105
Denver, CO 80202-1348
Attn: Jeffrey R Holway and Patricia Gage
(patricia.gage@yahoo.com)

Holway, Jeffrey R
1401 Wewatta St. #1105
Denver, CO 80202-1348

Hong, Paul B. and May
P. O. Box #1432
Covina, CA 91722-0432
Attn: Paul Hong

Hood Family Trust
2142 W Paseo Del Mar
San Pedro, CA 90732-4557
Attn: Sandra D. Hood

Horton, John
47716 Fairview Road
Newberry Springs, CA 92365-9258

Horton's Children's Trust
47716 Fairview Road
Newberry Springs, CA 92365-9258
Attn: John Horton

Mojave Basin Area Watermaster Service List as of August 11, 2016

Howard, et al.
P. O. Box 5528
Mt. Carmel, UT 84755-5528
Attn: Norman A. Howard

Hubbard, Ester and Mizuno, Arlean
2225 7th Avenue
Los Angeles, CA 90018-1146
Attn: Ester Hubbard

Huerta, Hector
P. O. Box 2190
Temecula, CA 92593-
Attn: John Driscoll

Hunt, Connie (via email)
39392 Burnside Loop
Astoria, OR 97103-8248
(hunt5089@outlook.com)

Hunt, Ralph M. and Lillian F.
P. O. Box 603
Yermo, CA 92398

Hutchison Trust, William O.
P. O. Box 97
Newberry Springs, CA 92365
Attn: William O. Hutchison

Hyatt, James and Brenda
P. O. Box 85
Newberry Springs, CA 92365

Im, Nicholas Nak-Kyun (via email)
P. O. Box 2926
Victorville, CA 92393-2926
Attn: Steve Kim (stevekim1026@gmail.com)

Irvin, Bertrand W.
P. O. Box 467
Newberry Springs, CA 92365-0467

Italmood Inc., et. al. (via email)
80 Maple Road
Easton, CT 06612-1036
Attn: Sebastian Marzaro (italmood@aol.com)

Jackson, James N. Jr Revocable Living Trust
1245 S. Arlington Avenue
Los Angeles, CA 90019-3517
Attn: James Jackson Jr.

Jackson, Ray
18956 Covina Street
Hesperia, CA 92345-
Attn: Sherri L. Kastilahn

Jamboree Housing Corporation (via email)
15940 Stoddard Wells Road - Office
Victorville, CA 92395-2800
Attn: Linda Rainer
(linda.rainer@newportpacific.com)

Jess Ranch Water Company
906 Old Ranch Road
Florissant, CO 80816-
Attn: Gary A. Ledford

Johnson, Carlean
8626 Deep Creek Road
Apple Valley, CA 92308

Johnson, James R. and Ellen (via email)
48084 Fairview Road
Newberry Springs, CA 92365-9029
(jimel1983@gmail.com)

Johnson, Ronald
1156 Clovis Circle
Dammeron Valley, UT 84783-5211

Johnston, Harriet and Johnston, Lawrence W.
P. O. Box 401472
Hesperia, CA 92340-1472
Attn: Lawrence W. Johnston

Jones, Joette
81352 Fuchsia Ave.
Indio, CA 92201-5329

Jordan Family Trust
31325 Clay River Road
Barstow, CA 92311-2057
Attn: Raymond Jordan

Jubilee Mutual Water Company
P. O. Box 1016
Lucerne Valley, CA 92356
Attn: Ray Gagne

Juniper Riviera County Water District
P. O. Box 386
Apple Valley, CA 92307
Attn: Denise Johnson

Karimi, Hooshang
1254 Holmby Ave
Los Angeles, CA 90024-
Attn: Ash Karimi

Kasner Family Limited Partnership (via email)
11584 East End Avenue
Chino, CA 91710-
Attn: Robert R. Kasner
(Robertkasner@aol.com)

Kasner, Robert (via email)
11584 East End Avenue
Chino, CA 91710-1555
(Robertkasner@aol.com)

Katcher, August M. and Marceline
47887 Palo Verde Lane
Newberry Springs, CA 92365

Kemp, Robert and Rose
48441 National Trails Highway
Newberry Springs, CA 92365

Kemper Campbell Ranch
10 Kemper Campbell Ranch Road
Victorville, CA 92395-3357
Attn: Peggy Shaughnessy

Kiel, Mary (via email)
6257 Dark Forest Drive
McKinney, TX 75070-9494
Attn: Georgann Flinchbaugh
(ChrisKiel22@gmail.com)

Kim, Jin S. and Hyun H.
53 Bluecoat
Irvine, CA 92620

Mojave Basin Area Watermaster Service List as of August 11, 2016

Kim, Joon Ho and Mal Boon Revocable Trust
46561 Fairview Road
Newberry Springs, CA 92365-
Attn: Alan and Annette De Jong

Kim, Ju Sang (via email)
1225 Crestview Dr
Fullerton, CA 92833-
(juskim67@yahoo.com)

Kim, Seon Ja
34981 Piute Road
Newberry Springs, CA 92365-9548

Koegler, Ronald R. and Carolyn V. (via email)
1001 Tremonto Road
Santa Barbara, CA 93103-1740
(carolynko@cox.net)

Koering, Richard and Koering, Donna
40909 Mt. View
Newberry Springs, CA 92365-9414
Attn: Richard Koering and Donna Koering

Koroghlian, Ted and Najwa (via email)
1549 Valencia Avenue
Pasadena, CA 91104-2032
(tatios2002@yahoo.com)

Kosharek, John and Joann
P. O. Box 357
Newberry Springs, CA 92365

Lake Arrowhead Community Services District
(via email)
P. O. Box 700
Lake Arrowhead, CA 92352-0700
Attn: Leo Havener
(rgross@lakearrowheadcsd.com)

Lake Jodie Property Owners Association (via email)
P. O. Box 280
Newberry Springs, CA 92365-0280
Attn: Robert Shaw
(robert_shaw19@icloud.com)

Lake Waikiki
230 Hillcrest Drive
La Puente, CA 91744-4816
Attn: Nancy Lan

Lake Wainani Owners Association
4725 McKinnon Drive
Anaheim, CA 92807-3022
Attn: Ron Basbas

Lam, Phillip (via email)
864 Sapphire Court
Pomona, CA 91766-5171
(PhillipLam99@Yahoo.com)

Langley, James (via email)
12180 Ridgecrest Road, Suite 232
Victorville, CA 92395-
(JLangley@korsch)

Langley, James - Industrial (via email)
12180 Ridgecrest Road, Suite 232
Victorville, CA 92395-
Attn: James Langley
(JLangley@korschgroup.com)

Langley, Michael R. and Sharon
P. O. Box 524
Yermo, CA 92398-0524

Lavanh, et al.
18203 Yucca St.
Hesperia, CA 92345-
Attn: Vanessa Laosy

Lawrence, William W.
P. O. Box 98
Newberry Springs, CA 92365
Attn: Robert Lawrence Jr.

Lawson, Ernest and Barbara
20277 Rock Springs Road
Apple Valley, CA 92308

Lee, Doo Hwan
P. O. Box 556
Lucerne Valley, CA 92356-0556

Lee, et al., Sepoong and Woo Poong
#6 Ensueno East
Irvine, CA 92620-
Attn: Sepoong & Woo Poong Lee

Lee, Vin Jang T.
41717 Silver Valley Road
Newberry Springs, CA 92365
Attn: Eric Archibek

Lem, Hoy (via email)
17241 Bullock St.
Encino, CA 91316-1473
Attn: Virginia Janovsky
(hoyplem@yahoo.com)

Lenhart, Ronald and Toni
10083 Deep Creek
Apple Valley, CA 92308-8322

LHC Alligator, LLC
P. O. Box 670
Upland, CA 91785-0670
Attn: John M. Goodman

Liang, Yuan - I and Tzu - Mei Chen
4192 Biscayne St
Chino, CA 91710-3196
Attn: Billy Liang

Liberty Utilities (Apple Valley Ranchos Water) Corp. (via email)
P. O. Box 7005
Apple Valley, CA 92307
Attn: Eric Larsen (elarsen@avrwater.com; tpenna@avrwater.com)

Lin, Kuan Jung and Chung, Der-Bing
2026 Turnbull Canyon
Hacienda Heights, CA 91745-
Attn: James Lin

Lo, et al.
2826 Sycamore Lane
Arcadia, CA 91006-6352
Attn: Mei Li

Lopez, Baltazar
12318 Post Office Rd
Lucerne Valley, CA 92356-
Attn: Patricia Miranda

Lounsbury, J. Peter and Carolyn (via email)
16759 West Weymouth Rd.
Surprise, AZ 85374-6845
(lounsbury@wwdb.org)

Mojave Basin Area Watermaster Service List as of August 11, 2016

Low, Dean
P. O. Box 1267
Monrovia, CA 91017-1267

Lua, Michael T. and Donna S.
18838 Aldridge Place
Rowland Heights, CA 91748

Lucerne Valley Mutual Water Company
P. O. Box 1311
Lucerne Valley, CA 92356
Attn: Gwen L. Bedics

Lucerne Valley Partners
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671
Attn: Manoucher Sarbaz

Lucerne Vista Mutual Water Company (via email)
P. O. Box 677
Lucerne Valley, CA 92356-0677
Attn: Marian Walent
(LVVMC677@gmail.com)

Luckey, Manley J.
8531 Glendale Road
Hesperia, CA 92345

M Bird Construction
1613 State Street, Ste. 10
Barstow, CA 92311-4162
Attn: Eugene R. & Vickie R. Bird

M.B. Landscaping and Nursery, Inc.
20300 Figueroa Street
Carson, CA 90745-1212
Attn: Maria Martinez

Mahjoubi, Afsar S.
46622 Fairview Road
Newberry Springs, CA 92365
Attn: Robert Saidi

Maloney, Janice
42525 Silver Valley Road
Newberry Springs, CA 92365

Manning, Sharon S.
19332 Balan Road
Rowland Heights, CA 91748-4017
Attn: Jimmy Berry

Marcroft, James A. and Joan
P. O. Box 519
Newberry Springs, CA 92365
Attn: Allen Marcroft

Mariana Ranchos County Water District (via email)
9600 Manzanita Street
Apple Valley, CA 92308-8605
Attn: James M. Hansen, Jr.
(gmmrcwd@gmail.com; gm@mrcwd.org)

Marshall, Charles
32455 Lakeview Road
Newberry Springs, CA 92365-9482

Martin, Michael D. and Arlene D.
32942 Paseo Mira Flores
San Juan Capistrano, CA 92675

McCollum, Charles L.
15074 Spruce St
Hesperia, CA 92345-2950
Attn: Rod Sexton

McInnis, William S.
8758 Deep Creek Road
Apple Valley, CA 92308

McKinney, Paula (via email)
144 East 72nd
Tacoma, WA 98404-1060
(mizzenmouse@hotmail.com)

Mead Family Trust
31314 Clay River Road
Barstow, CA 92311-2057
Attn: Olivia L. Mead

Milbrat, Irving H.
P. O. Box 487
Newberry Springs, CA 92365-0487
Attn: David I. Milbrat

Miller Living Trust
82134 Dunn Drive
Indio, CA 92203-3228
Attn: Donna Miller

Mitsubishi Cement Corporation (via email)
5808 State Highway 18
Lucerne Valley, CA 92356-8179
Attn: David Rib (drib@mitsubishicement.com)

Mizrahie, et al.
4105 W. Jefferson Blvd.
Los Angeles, CA 90048-
Attn: Philip Mizrahie

MLH, LLC (via email)
P. O. Box 2611
Apple Valley, CA 92307-0049
Attn: Thomas A. Hrubik (tahgolf@aol.com)

Mojave Solar, LLC (via email)
42134 Harper Lake Road
Hinkley, CA 92347-9305
Attn: Jose Manuel Bravo
(jmanuel.bravo@abengoa.com)

Monaco Investment Company
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671
Attn: Manoucher Sarbaz

Morris Trust, Julia V.
43744 Silver Valley Road
Newberry Springs, CA 92365-9564
Attn: Billie Elliot

Moss, Lawrence W. and Helen J.
38338 Old Woman Springs Road Spc# 72
Lucerne Valley, CA 92356-8116

Most Family Trust
10041 El Dorado Street, Box A13
Apple Valley, CA 92308-
Attn: Jennie Most

Mulligan, Robert and Inez
P. O. Box 1507
St. Helena, OR 97051-1507
Attn: Dennis Hills

Mojave Basin Area Watermaster Service List as of August 11, 2016

Murphy, Jean
46126 Old National Trails Highway
Newberry Springs, CA 92365-9025

Navajo Mutual Water Company (via email)
21724 Hercules St.
Apple Valley, CA 92308-8490
Attn: James Hansen
(gm@marianaranchoscwd.org)

New Springs Limited Partnership (via email)
4192 Biscayne St.
Chino, CA 91710-3196
Attn: Billy Liang (flossdaily@hotmail.com;
asaliking@yahoo.com)

Newberry Community Services District
P. O. Box 206
Newberry Springs, CA 92365-0206
Attn: Le Hayes

Newberry Springs Recreational Lakes
Association (via email)
32935 Dune Road, Space 10
Newberry Springs, CA 92365-
Attn: Jeff Gaastra ()

Norris Trust, Mary Ann
29611 Exeter Street
Lucerne Valley, CA 92356-8261
Attn: Mary Ann Norris

Núñez, Luis Segundo
9154 Golden Seal Court
Hesperia, CA 92345-0197

Nunn, Donald and Pearl
P. O. Box 545
Apple Valley, CA 92307

Nursery Products LLC (via email)
P. O. Box 1439
Helendale, CA 92342-1439
Attn: Chris Seney
(Chris@nurseryproductservices.com;
jeff@nurseryproductservices.com;)

O. F. D. L., Inc. (via email)
32935 Dune Road, #10
Newberry Springs, CA 92365-9175
Attn: Jeff Gaastra (jeff@weaponsedge.com;
andy@seesmachine.com;
bbswift4044@cox.net)

Oasis World Mission (via email)
P. O. Box 45
Apple Valley, CA 92307-0001
Attn: Chun Soo Ahn
(chunsooahn@naver.com)

Odessa Water District
220 E. Mountain View Street, Suite A
Barstow, CA 92311-2888
Attn: Jennifer Riley

Ohai, Reynolds and Dorothy
13450 Monte Vista
Chino, CA 91710-5149
Attn: Dorothy Ohai

Omya California, Inc.
7225 Crystal Creek Rd
Lucerne Valley, CA 92356
Attn: Luis A Pacheco

Oro Grande School District
P. O. Box 386
Oro Grande, CA 92368-0386
Attn: Nick Higgs

P and H Engineering and Development
Corporation
1423 South Beverly Glen Blvd. Apt. A
Los Angeles, CA 90024-6171
Attn: M. T. Shoraka

Pacific Gas and Electric Company (via email)
77 Beale Street
San Francisco, CA 94177-1490
Attn: Iain Baker (ixbj@pge.com)

Pak, Kae Soo and Myong Hui Kang (via email)
P. O. Box 1835
Lucerne Valley, CA 92356-1835
(ykc628@hotmail.com)

Patino, José
3914 W. 105th Street
Inglewood, CA 90303-1815

Pearce, Craig L.
2225 S. Oaks Avenue
Ontario, CA 91762-

Pearson, Deryl B.
P. O. Box 401601
Hesperia, CA 92345

Perko, Bert K.
P. O. Box 762
Yermo, CA 92398-0762

Perry Revocable Living Trust, Thomas and
Patricia
14807 Kinai Road
Apple Valley, CA 92307-5135
Attn: Thomas Perry

Pettigrew, Dan
285 N Old Hill Road
Fallbrook, CA 92028-2571

Pettigrew, James and Cherlyn (via email)
8000 Deep Creek Rd.
Apple Valley, CA 92308-
Attn: James Pettigrew
(jpetti3346@verizon.net)

Pham, et al. (via email)
16 Via Coralle
Newport Beach, CA 92657-9265
Attn: Quang Pham (TomQPham@yahoo.com)

Phelan Piñon Hills Community Services
District (via email)
4176 Warbler Road
Phelan, CA 92371-8819
Attn: Don Bartz (dbartz@pphcsd.org;
llowrance@pphcsd.org)

Pittman, Leroy W.
P. O. Box 127
Oro Grande, CA 92368-0127
Attn: Diana Pittman

Poland, John R. and Kathleen A.
5511 Tenderfoot Drive
Fontana, CA 92336-1156
Attn: Kathy Gillmore

Polich, Lee and Donna
75 3rd Avenue #4
Chula Vista, CA 91910-1714

Mojave Basin Area Watermaster Service List as of August 11, 2016

Porter, Timothy M.
34673 Little Dirt Road
Newberry Springs, CA 92365-9646

Price, Donald and Ruth
933 E. Virginia Way
Barstow, CA 92311-4027

Pruett, Andrea
P. O. Box 37
Newberry Springs, CA 92365

Quiros, Fransisco J. and Hermann, Ronald
960 Western Ave.
Colton, CA 92324-2656
Attn: Fransisco J. Quiros

Rancheritos Mutual Water Company
P. O. Box 348
Apple Valley, CA 92307
Attn: Elizabeth Murena

Reed, Mike
9864 Donaldson Road
Lucerne Valley, CA 92356

Rice, Henry C. and Diana
1015 15th Place
Hermosa Beach, CA 90254-

Rim Properties, A General Partnership
15434 Sequoia Road
Hesperia, CA 92345-1667
Attn: Ian Bryant

Rios, Mariano V.
P. O. Box 1864
Barstow, CA 92312-1864

Rivero, Fidel V.
220 Stephens Ave.
Riverside, CA 92501-1142

Rizvi, S.R Ali (via email)
10917 Admirals Bay St.
Victorville, CA 92392-4819
(RayRizvi@Yahoo.com)

Robertson's Ready Mix
P.O. Box 3600
Corona, CA 92878-
Attn: Jackie McEvoy

Rossi, James L. and Naomi I.
34650 Minneola Rd
Newberry Springs, CA 92365-9146
Attn: Mitch Hammack

Royal Way (via email)
11845 Olympic Boulevard, Suite 625
Los Angeles, CA 90064-
Attn: John D. Zemanek
(jz@zemanekandmills.com)

Rue Ranch
P. O. Box 133109
Big Bear Lake, CA 92315-8915
Attn: Sam Marich

Ruisch Trust, Dale W. and Nellie H.
10807 Green Valley Road
Apple Valley, CA 92308-3690
Attn: Dale W. Ruisch

S and B Brothers, LLC
5 Shore Ridge
Newport Coast, CA 92657-1812
Attn: Sherwin Shoraka

S and E 786 Enterprises, LLC (via email)
3300 S. La Cienega Blvd.
Los Angeles, CA 90016-3115
Attn: Jafar Rashid
(jr123realestate@gmail.com)

Saba, Saba A. and Shirley L.
41309 Avenida Biona
Temecula, CA 92591-5014

Sagabean-Barker, Kanoelokelani L. (via email)
42224 Valley Center Rd
Newberry Springs, CA 92365
(kanoebarker@yahoo.com)

Samra, Jagtar S. (via email)
10415 Edgebrook Way
Northridge, CA 91326-3952
(BILLU711@Yahoo.com)

San Bernardino Co Barstow - Daggett Airport
777 E. Rialto Ave
San Bernardino, CA 92415-1005
Attn: Tina Abarca

San Bernardino County - High Desert
Detention Center (via email)
PO Box 5004
Victorville, CA 92393-5004
Attn: Rebecca Wynn (wbritt@sbcisd.org)

San Bernardino County Service Area 29
P. O. Box 459
Lucerne Valley, CA 92356-0459
Attn: Reese Troublefield

San Bernardino County Service Area 42
P. O. Box 5004
Victorville, CA 92393-5004
Attn: Rebecca Wynn

San Bernardino County Service Area 64
P. O. Box 5004
Victorville, CA 92393-5004
Attn: Rebecca Wynn

San Bernardino County Service Area 70J
P. O. Box 5004
Victorville, CA 92393-5004
Attn: Rebecca Wynn

Sapp, Robert D. and Lee, Teresa J.
9924 Mockingbird Avenue
Apple Valley, CA 92308-
Attn: Robert and Teresa Sapp

Scray, Michelle A. Trust (via email)
16869 State Highway 173
Hesperia, CA 92345-9381
Attn: Michelle Scray (mcsgray@aol.com)

Seals, William and Tibbett, Vicki Seals
22664 Little Beaver
Apple Valley, CA 92308-7438
Attn: Vicki Seals Tibbett

Mojave Basin Area Watermaster Service List as of August 11, 2016

Security Paving Company, Inc.
13170 Telfair Ave
Sylmar, CA 91347-3573
Attn: Albert Mattivi

Service Rock Products Corporation (via email)
P. O. Box 3600
Corona, CA 92878-3600
Attn: Jackie McEvoy (cindyh@rrmca.com)

Service Rock Products Corporation (via email)
P. O. Box 3600
Corona, CA 92878-3600
Attn: Jackie McEvoy (jackiem@rrmca.com)

Service Rock Products Corporation (via email)
200 South Main St., Ste. 200
Corona, CA 92882-2212
Attn: Jackie McEvoy (jackiem@rrmca.com)

Sexton, Rodney A. and Sexton, Derek R.
P.O. Box 155
Rim Forest, CA 92378-
Attn: Rod Sexton

Shaw, Robert M. and Lori A. Slater-Shaw (via email)
8502 E. Chapman Ave #312
Orange, CA 92869-
Attn: Robert M. Shaw (lslater@socal.rr.com)

Sheng, Jen
6137 W. Twain Ave
Las Vegas, NV 89103-1155

Sheppard, Thomas and Gloria (via email)
33571 Fremont Road
Newberry Springs, CA 92365
(gloriasheppard14@gmail.com)

Short, Charles and Margaret
12346 Oxford Drive
La Mirada, CA 90638-
Attn: Ron Short

Short, Jerome E.
P. O. Box 495
Newberry Springs, CA 92365-0495

Silver Lakes Association
P. O. Box 179
Helendale, CA 92342-0179
Attn: Jerry Bomgaars

Singh, et al. (via email)
420 Monroe
Irvine, Ca 92620-3654
Attn: Nepal Singh (NepalSingh@yahoo.com)

Smith, Porter and Anita (via email)
8443 Torrell Way
San Diego, CA 92126-1254
(porter_smith@msn.com)

Smith, William E. and Patricia A. (via email)
48788 Silver Valley Road
Newberry Springs, CA 92365
(waf6ype@yahoo.com)

Son's Ranch
P. O. Box 1767
Lucerne Valley, CA 92356
Attn: Chan Kyun Son

Soppeland, Wayne (via email)
15500 W. Sand Street, 2nd Floor
Victorville, CA 92392-2931
Attn: Jason Lamoreaux
(JL@LamorGroup.com)

Southern California Edison Company (via email)
2131 Walnut Grove
Rosemead, CA 91770-3769
Attn: Erika Clement (erika.clement@sce.com)

Specialty Minerals, Inc. (via email)
P. O. Box 558
Lucerne Valley, CA 92356
Attn: Larry Ashby
(larry.ashby@mineralstech.com)

Sperry, Wesley
P. O. Box 303
Newberry Springs, CA 92365-0303

Spillman, James R. and Nancy J.
12132 Wilshire
Lucerne Valley, CA 92356-8834

Spring Valley Lake Association (via email)
SVL Box 7001
Victorville, CA 92395-5107
Attn: Dennis Teece (dteece@svla.com)

Spring Valley Lake Country Club
7070 SVL Box
Victorville, CA 92395-5152
Attn: Mitchell Brown

St. Antony Coptic Orthodox Monastery
P. O. Box 100
Barstow, CA 92311-0100
Attn: Father Joseph

Starke, George A. and Jayne E. (via email)
8743 Vivero Street
Rancho Cucamonga, CA 91730-1152
(chiefgs@verizon.net)

Storm, Randall
51432 130th Street
Byars, OK 74831-7357

Sudmeier, Glenn W.
14253 Highway 138
Hesperia, CA 92345

Summers Family Trust (via email)
50 Stephens Estates
North Augusta, SC 29680-
Attn: Jimmy and Dotti Summers
(JimSummersInvestments@yahoo.com)

Summit Valley Ranch, LLC (via email)
233 Sansome St., Ste. 928
San Francisco, CA 94104-2305
Attn: Alexandra Lioanag
(sandra@halannagroup.com)

Sundown Lakes, Inc. (via email)
2141 Chelsea Road
Palos Verdes, CA 90274-
Attn: Mark Richardson
(mark@richardsonsv.com)

Sunray Energy, Inc. (via email)
P. O. Box 338
Daggett, CA 92327-0338
Attn: Nathan Witte (SunRay@earthlink.net;
NathanWitte@COGENTRIX.COM)

Mojave Basin Area Watermaster Service List as of August 11, 2016

Szynkowski, Ruth J.
46750 Riverside Drive
Newberry Springs, CA 92365-
Attn: Russell Szynkowski

Tallakson, William V. and Elizabeth A. (via
email)
11100 Alto Drive
Oak View, CA 93022-9535
(billtallakson@sbcglobal.net)

Tapie, Raymond L.
48919 Valley Center Road
Newberry Springs, CA 92365-9726

Teisan, Jerry (via email)
P. O. Box 2089
Befair, WA 98528-2089
(jerryteisan@gmail.com)

Thayer, Sharon
35924 Harvard Drive
Newberry Springs, CA 92365-9637

The Cushenbury Trust, c/o Specialty Minerals,
Inc. (via email)
P. O. Box 558
Lucerne Valley, CA 92356
Attn: Larry J. Ashby
(larry.ashby@mineralstech.com)

Thomas, Stephen and Lori
4890 Topanga Canyon Bl.
Woodland Hills, CA 91364-4229
Attn: Stephen Thomas

Thompson Living Trust, James A. and Sula B.
22815 Del Oro Road
Apple Valley, CA 92308
Attn: Lynnette L. Thompson

Thompson Living Trust, R.L. and R.A.
9141 Deep Creek Road
Apple Valley, CA 92308-8351
Attn: Rodger Thompson

Thoreson, Robert F. and Kathleen
8300 Mount Logan Ct
Las Vegas, NV 89131-1696
Attn: Robert Thoreson

Thrasher, Gary
14024 Sunflower Lane
Oro Grande, CA 92368

Thunderbird County Water District
P. O. Box 1105
Apple Valley, CA 92307-1105
Attn: Roy Shull

Triple H Partnership
33700 Wildwood Canyon Road
Yucaipa, CA 92399
Attn: Jim Hoover

Troeger Family Trust, Richard H. (via email)
P. O. Box 882
Wrightwood, CA 92397
Attn: Mike Troeger (mjtroeger@yahoo.com)

Tsui, Richard
P. O. Box 5531
Hacienda Heights, CA 91745-0531

Turner, Terry
48550 Riverside Drive
Newberry Springs, CA 92365-9017

Union Pacific Railroad Company
9451 Atkinson St
Roseville, CA 95747-
Attn: Pete Owen

Vaca, Andy and Teresita S.
5550 Avenue Juan Bautista
Riverside, CA 92509-5613

Valenti, Vito
31801 Soapmine Road
Barstow, CA 92311-

Van Bastelaar, Alphonse
45475 Martin Road
Newberry Springs, CA 92365-9625
Attn: Dean Van Bastelaar

Van Dam Family Trust, Glen and Jennifer (via
email)
3190 Cottonwood Avenue
San Jacinto, CA 92582-4741
Attn: Glen and Jennifer Van Dam
(gvandam@verizon.net)

Van Dam Revocable Trust, E and S
26599 Community Blvd.
Barstow, CA 92311-9779
Attn: Eldert and Susan Van Dam

Van Leeuwen, John
1241 West Cedar Court
Ontario, CA 91762

Vanhoops Holdings, LP (via email)
8328 Valmont Road
Boulder, CO 80301-4813
Attn: Traci Hoops (tvhoops@gmail.com)

Vernola Trust, Pat and Mary Ann
P. O. Box 2190
Temecula, CA 92593-
Attn: John Driscoll

Victor Valley Community College District
(via email)
18422 Bear Valley Road
Victorville, CA 92395-5850
Attn: Steven Garcia (steve.garcia@vvc.edu;
Bob.Brown@vvc.edu)

Victor Valley Memorial Park
17150 C Street
Victorville, CA 92395-3330
Attn: Timothy M. Kurtz

Mojave Basin Area Watermaster Service List as of August 11, 2016

Victorville Water District, ID#1 (via email)
P. O. Box 5001
Victorville, CA 92393-5001
Attn: Steve Ashton
(sborrowman@ci.victorville.ca.us;
avillarreal@ci.victorville.ca.us;
smcglade@ci.victorville.ca.us)

Vogler, Albert H. and Rita K.
17612 Danbury Ave.
Hesperia, CA 92345
Attn: Albert H. Vogler

Wang, Steven (via email)
2551 Paljay Avenue
Rosemead, CA 91770-3204
(Jlow3367@gmail.com)

Weems, Lizzie
41100 Elkhorn Street
Newberry Springs, CA 92365-

Werner, Andrew J. (via email)
1718 N Sierra Bonita Ave
Los Angeles, CA 90046-2231
(andrewwerner11@gmail.com)

West, Jimmie E.
P. O. Box 98
Oro Grande, CA 92368-0098

Western Horizon Associates, Inc.
P. O. Box 397
Five Points, CA 93624-0397
Attn: Chung Cho Gong

Wet Set, Inc. (via email)
3737 Birch Street, Suite 400
Newport Beach, CA 92660
Attn: Thomas G. Ferruzzo
(tferruzzo@ferruzzo.com)

Withey, Connie (via email)
P. O. Box 3513
Victorville, CA 92393-3513
(praisethelord7777@yahoo.com;)

Victorville Water District, ID#2 (via email)
P. O. Box 5001
Victorville, CA 92393-5001
Attn: Steve Ashton
(sborrowman@ci.victorville.ca.us;
avillarreal@ci.victorville.ca.us;
smcglade@ci.victorville.ca.us)

Wagner Family Trust
22530 Calvert Street
Woodland Hills, CA 91367-1704
Attn: Joan Wagner

Ward, Ken and Barbara (via email)
14141 Highway 138
Hesperia, CA 92345
Attn: Ken Ward (kenbombero@aol.com;
allardward@aol.com)

Weeraisinghe, Maithri N.
P. O. Box 487
Barstow, CA 92312-0487

West End Mutual Water Company
P. O. Box 1732
Lucerne Valley, CA 92356
Attn: Patti Sherman

Western Development and Storage, LLC (via email)
113 S. La Brea Ave, Floor 3
Los Angeles, CA 90036-2998
Attn: Andrew Werner
(andrewwerner@westerndev.com)

Western Rivers Conservancy (via email)
424 Clay St. Lower Level
San Francisco, CA 94111-3207
Attn: Peter Colby ()

Wiener, Melvin and Mariam S.
1626 N. Wilcox Avenue
Los Angeles, CA 90028-6234

Witte, E. Daniel and Marcia
31911 Martino Drive
Daggett, CA 92327-9752

Virosteck, Steve and Julie (via email)
4424 Highway K 68
Wellsville, KS 66092-8541
(svirosteck@aol.com)

Wakula Family Trust
11741 Ardis Drive
Garden Grove, CA 92841-2423
Attn: Christian Joseph Wakula

Ward, Raymond
P. O. Box 358
Newberry Springs, CA 92365

Weiser, et al. (via email)
511 Hill Street, Ste. 205
Santa Monica, CA 90405-
Attn: Alexander Weiser
(Dan.Weiser@me.com;
Alex@weiserfamilyfarms.com;
emaso@me.com)

West, Howard and Suzy
9185 Loma Vista Road
Apple Valley, CA 92308-0557

Western Heritage, Inc.
P. O. Box 250808
Glendale, CA 91225-0808
Attn: Elizabeth Lara

Westland Industries, Inc. (via email)
520 W. Willow St.
Long Beach, CA 90806-2800
Attn: Roberto Rivera (rick@aptsrus.com;
rick@westlandindustries.com;
BearValley@Westland-MHP.com)

Wilshire Road Partners
9903 Santa Monica Blvd., PMB #541
Beverly Hills, CA 90212-1671
Attn: Manoucher Sarbaz

WLSR, Inc.
5430 Via Fonte
Yorba Linda, CA 92886-5015
Attn: Gary Adams

Mojave Basin Area Watermaster Service List as of August 11, 2016

Wood, Michael and Denise (via email)
P. O. Box 2716
Apple Valley, CA 92307-2716
(mdwood50@gmail.com)

Worsey, Joseph A. and Revae
P. O. Box 422
Newberry Springs, CA 92365-0422
Attn: David A. Worsey

Wyatt Family Trust
13790 Chateau Court
Apple Valley, CA 92307
Attn: Debby Wyatt

Alston & Bird LLP (via email)
333 South Hope Street, 16th Floor
Los Angeles, CA 90071
Attn: Peter A. Nyquist, Esq.
(Pete.Nyquist@alston.com)

AlvaradoSmith, APC (via email)
1 MacArthur Place
Suite 200
Santa Ana, CA 92707-5941
Attn: Thierry R. Montoya
(tmontoya@alvaradosmith.com)

American AgCredit (via email)
42429 Winchester Road
Temecula, CA 92590-2504
Attn: Dan Elder (delder@agloan.com)

Atkinson, Andelson, Loya-Ruud & Romo
3612 Mission Inn Avenue, Upper Level
Riverside, CA 92501
Attn: W.W. Miller, Esq.

Baker, Manock & Jensen
5260 N. Palm Avenue, 4th Floor
Fresno, CA 93704-2209
Attn: Christopher L. Campbell, Esq.

Best, Best & Krieger (via email)
3750 University Avenue
3rd Floor
Riverside, CA 92502-1028
Attn: Eric L. Garner, Esq.
(eric.garner@bbklaw.com)

Best, Best & Krieger LLP (via email)
P.O. Box 1028
Riverside, CA 92502-
Attn: Piero C. Dallarda, Esq.
(piero.dallarda@bbklaw.com)

Brownstein Hyatt Farber Schreck, LLP (via email)
21 E. Carrillo Street
P. O. Drawer 720
Santa Barbara, CA 93102-0720
Attn: Russell M. McGlothlin, Esq.
(rmcglathlin@bhfs.com)

Brunick, McElhaney & Kennedy PLC (via email)
1839 Commercenter West
P.O. Box 13130
San Bernardino, CA 92423-3130
Attn: William J. Brunick, Esq.
(bbrunick@bmklawplc.com)

Caldwell & Kennedy
15476 West Sand Street
Victorville, CA 92392
Attn: Terry Caldwell, Esq.

California Department of Transportation
100 South Main Street, Suite 1300
Los Angeles, CA 90012-3702
Attn: Alexander Devorkin, Esq.

California Farm Bureau Federation
2300 River Plaza Drive
Sacramento, CA 95833
Attn: Nancy McDonough

Caufield & James, LLP (via email)
2851 Camino Del Rio South, Suite 410
San Diego, CA 92108-
Attn: Jeffery L. Caufield, Esq.
(Jeff@caufieldjames.com)

Colantuono, Highsmith & Whatley, PC
300 South Grand Avenue, Ste 2700
Los Angeles, CA 90071-3137
Attn: Michael G. Colantuono, Esq.

County of San Bernardino, County Counsel
(via email)
385 N. Arrowhead Avenue, 4th Floor
San Bernardino, CA 92415-0140
Attn: Dawn M. Messer
(dmesser@cc.sbcounty.gov)

Covington & Crowe
1131 West 6th Street
Suite 300
Ontario, CA 91762
Attn: Robert E. Dougherty, Esq.

Cox, Castle & Nicholson
2049 Century Park East, 28th Floor
Los Angeles, CA 90067
Attn: Ed Dygert, Esq.

Department of Justice (via email)
300 S. Spring Street, Suite 1702
Los Angeles, CA 90013
Attn: Marilyn Levin, Dep
(Marilyn.Levin@doj.ca.gov;
MichaelW.Hughes@doj.ca.gov)

Ducommun, Inc.
23301 S. Wilmington Avenue
Carson, CA 90745
Attn: James S. Heiser, Esq.

Felger & Associates
726 West Barstow Avenue, # 106
Fresno, CA 93704
Attn: Warren P. Felger, Esq.

Ferruzzo & Ferruzzo, LLP (via email)
3737 Birch Street, Suite 400
Newport Beach, CA 92660
Attn: Thomas G. Ferruzzo, Esq.
(tferruzzo@ferruzzo.com)

Green, de Bortnowsky & Quintanilla, LLP
(via email)
23801 Calabasas Road, Suite 1015
Calabasas, CA 91302-
Attn: Joan Stevens Smyth
(jsmyth@gdqlaw.com; mdick@gdqlaw.com)

Gresham, Savage, Nolan & Tilden, LLP
3750 University Avenue, Suite 250
Riverside, CA 92501-3335
Attn: Michael D. Davis, Esq.

Gutierrez, Preciado & House
3020 E. Colorado BLVD
Pasadena, CA 91107-3840
Attn: Calvin R. House, Esq.

Mojave Basin Area Watermaster Service List as of August 11, 2016

Hill, Farrer & Burrill
300 S. Grand Avenue, 37th Floor
1 California Plaza
Los Angeles, CA 90071
Attn: Curtis Ballantyne, Esq.

Kasdan, Simonds, Weber & Vaughan LLP
(via email)
19900 MacArthur Blvd., Suite 850
Irvine, CA 92612-
Attn: Barry C. Vaughan, Esq.
(bvaughan@kasdansimonds.com)

Lagerlof, Senecal, Bradley,
Gosney & Kruse, LLP (via email)
301 N. Lake Avenue, 10th Floor
Pasadena, CA 91101-4108
Attn: Thomas S. Bunn, Esq.
(TomBunn@lagerlof.com)

Law Offices of Fred J. Knez
P.O. Box 70090
Riverside, CA 92513
Attn: Fred J. Knez, Esq.

Law Offices of Robert C. Hawkins (via email)
14 Corporate Plaza, Suite 120
Newport, CA 92660
Attn: Robert C. Hawkins, Esq.
(rhawkins@earthlink.net)

McCormick, Kidman & Behrens
695 Town Center Drive, Suite 400
Costa Mesa, CA 92626-7187
Attn: Arthur G. Kidman, Esq.

Mojave Basin Area Watermaster (via email)
13846 Conference Center Drive
Apple Valley, CA 92307
Attn: Valerie L. Wiegenstein
(watermaster@mojavewater.org)

Mojave Water Agency (via email)
13846 Conference Center Drive
Apple Valley, CA 92307
Attn: Kirby Brill (kbrill@mojavewater.org)

Morgan & Newman
18409 US Highway 18, Ste. 2
Apple Valley, CA 92307-2228
Attn: Paul Henderson, Esq.

Nossaman LLP (via email)
777 South Figueroa Street, 34th Floor
Los Angeles, CA 90017-
Attn: Frederic A. Fudacz, Esq.
(ffudacz@nossaman.com)

Office of the Attorney General
1515 Clay Street - 20th Floor
Oakland, CA 94612
Attn: Joseph Barbieri, Dep.

Redwine and Sherrill (via email)
1950 Market Street
Riverside, CA 92501
Attn: Steven B. Abbott, Esq.
(sabboott@redwineandsherrill.com;
fluna@redwineandsherrill.com)

Richards, Watson & Gershon
1 Civic Center Circle
P.O. Box 1059
Brea, CA 92822-1059
Attn: James L. Markman, Esq.

Rutan & Tucker
P.O. Box 1950
Costa Mesa, CA 92626
Attn: Elizabeth Hanna, Esq.

Sempre Energy Law Department (via email)
Office of the General Counsel
555 West Fifth Street, Suite 1400
Los Angeles, CA 90013-1011
Attn: Randall R. Morrow, Esq.
(rmorrow@sempra.com)

Southern California Edison Company
Legal Department
P.O. Box 800
Rosemead, CA 91770
Attn: Nino Moscolo, Esq.

Southern California Gas Company
Transmission Environmental Consultant
P. O. Box 2300, ML9314
Los Angeles, CA 91313-2300
Attn: Mary Howard

Stetson Engineers, Inc.
P.O. Box 1257
San Juan Capistrano, CA 92693-1257
Attn: Tom Stetson, P.E.

The Hegner Law Firm
14350 Civic Drive
Suite 270
Victorville, CA 92392
Attn: Rick Ewaniszyk, Esq.

Van Blarcom, Leibold,
McClendon & Mann, PC (via email)
23422 Mill Creek Dr., Ste 105
Laguna Hills, CA 92653-7920
Attn: Ronald A. Van Blarcom, Esq.
(ron@vanblarcomlaw.com)

Vander Dussen Trust, Agnes & Edward (via
email)
P.O. Box 5338
Blue Jay, CA 92317-
Attn: Agnes Vander Dussen Koetsier
(beppeau@aol.com)

Victor Valley Wastewater
Reclamation Authority (via email)
15776 Main Street
Suite 3
Hesperia, CA 92345-9754
Attn: Dan Gallagher (olds@vwwra.com)

Wagner & Bonsignore
Consulting Civil Engineers (via email)
2151 River Plaza Drive, Suite 100
Sacramento, CA 95833-4133
Attn: Robert C. Wagner, P.E.
(rcwagner@wbecorp.com)