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**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,

AND RELATED CROSS ACTIONS

CASE NO. CIV 208568

**(Proposed) ORDER GRANTING
MOTION TO ADJUST FREE
PRODUCTION ALLOWANCE FOR
WATER YEAR 2017-2018**

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

The above-entitled action came on regularly for hearing on June 9, 2017, 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, 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 good cause appearing, hereby GRANTS the

1 motion on the following terms as to the Subareas defined in the Judgment of January 10, 1996 for the
2 Water Year 2017-18:

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 45% to 40% of BAP for all producers for 2017-18.

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 2017-18. Implementation of the reduction to 60% for M&I
17 producers, however, will be held in abeyance until water production in Oeste, excluding production
18 from Well 14, exceeds 3,921 acre-feet.

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

21
22 **IT IS SO ORDERED.**

23 Date: June ____, 2017

24 _____
25 Gloria Connor Trask,
26 Judge of the Superior Court
27

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 June 12, 2017, 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:

PROPOSED ORDER GRANTING MOTION TO ADJUST FREE PRODUCTION ALLOWANCE FOR WATER YEAR 2017-2018

 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 June 12, 2017 at Apple Valley, California.



Valerie Wiegstein

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Mojave Basin Area Watermaster Service List as of June 12, 2017

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Mojave Basin Area Watermaster Service List as of June 12, 2017

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Mojave Basin Area Watermaster Service List as of June 12, 2017

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Mojave Basin Area Watermaster Service List as of June 12, 2017

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Mojave Basin Area Watermaster Service List as of June 12, 2017

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Mojave Basin Area Watermaster Service List as of June 12, 2017

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Mojave Basin Area Watermaster Service List as of June 12, 2017

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Mojave Basin Area Watermaster Service List as of June 12, 2017

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