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9 GOLDEN STATE WATER COMPANY

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF RIVERSIDE

12 Coordination Proceeding Special Title
13 (Cal. Rules of Court, rule 3.550)
14
15 MOJAVE BASIN AREA WATER CASES

JCCP NO.: 5265
Lead Case No. CIV 208568

Assigned for All Purposes to the
Honorable Harold W. Hopp, Dept. 1

Honorable Craig G. Reimer, Judge
Presiding by assignment of the Chief
Justice

16 CITY OF BARSTOW, et al.,
17 Plaintiff,
18 v.
19 CITY OF ADELANTO, et al.,
20 Defendant.

**DECLARATION OF STEPHANIE
OSLER HASTINGS IN SUPPORT OF
GOLDEN STATE WATER
COMPANY'S MOTION TO
ENFORCE JUDGMENT**

[Filed concurrently with Golden State
Water Company's Motion to Enforce
Judgment; Declarations of Toby Moore
and Anthony Brown; Evidence in
Support of Motion to Enforce Judgment;
Proposed Order]

Date: October 2, 2024
Time: 8:30 am
Dept.: 1
Judge: Hon. Craig G. Reimer

Reservation ID: 562595011427

1 I, Stephanie Osler Hastings, declare:

2 1. I am an attorney duly admitted to practice before all the courts of this State and am
3 a shareholder in the law firm of Brownstein Hyatt Farber Schreck, LLP (“**Brownstein**”), counsel
4 of record for Golden State Water Company (“**GSWC**”) in the above-captioned matter. Except as
5 otherwise stated, I have personal knowledge of the following facts, and, if called upon to testify
6 thereto, I could and would competently do so.

7 2. I am providing this declaration in support of GSWC’s Motion to Enforce Judgment
8 (the “**Motion**”).

9 3. I am the attorney with primary responsibility for representing GSWC in this action.
10 I am personally familiar with Brownstein’s files and records regarding this action, all of which
11 Brownstein keeps in the ordinary course of Brownstein’s business. I am also personally familiar
12 with the proceedings in this action and the documents, filings, and records filed and submitted with
13 the Court or exchanged among the parties in this action, as well as the correspondence and
14 memoranda exchanged between Brownstein, on behalf of GSWC, and the Mojave Basin Area
15 Watermaster (“**Watermaster**”).

16 4. At my direction, Brownstein staff compiled all evidence cited in support of the
17 Motion in GSWC’s Evidence in Support of GSWC’s Motion to Enforce Judgment filed
18 concurrently herewith (“**GSWC Evidence**”). Pursuant to the Court’s order dated July 3, 2024 (see
19 ¶ 9 below), wherein the Court ordered the parties to sequentially number all exhibits, at my
20 direction, my staff added Bates stamp numbers (GSWC 0001 – 0987) to all pages included in the
21 GSWC Evidence.

22 5. On September 16, 2022, the Court tasked the Watermaster with updating the
23 Production Safe Yield (“**PSY**”) for all Subareas of the Basin Area under the Judgment in this
24 action.¹ A true and correct copy of this Court’s September 16, 2022 Order is attached as **Exhibit 2**
25 to GSWC Evidence.

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28 ¹ All capitalized terms not defined here have the same meaning as set forth in the Judgment.

1 6. On or about February 26, 2024, the Watermaster made public its Production Safe
2 Yield & Consumptive Use Update, dated February 28, 2024 (“**2024 PSY Update**”), which was
3 prepared by the Watermaster Engineer. A true and correct copy of the 2024 PSY Update is attached
4 as **Exhibit 4** to GSWC Evidence.

5 7. On February 28, 2024, on behalf of GSWC, I submitted a comment letter to the
6 Watermaster regarding its 2024 PSY Update. Attached to that February 28, 2024 letter is a February
7 23, 2024 memorandum from Anthony Brown and Robert H. Abrams, aquilogic, Inc. (“**aquilogic**”),
8 to Stephanie Hastings, Brownstein, titled: “Progress Report and Mojave Basin Area Transition
9 Zone Water Budget” (“**aquilogic Memorandum**”). A true and correct copy of that February 28,
10 2024 letter and attached aquilogic Memorandum, together with the transmittal email, is attached as
11 **Exhibit 13** to GSWC Evidence. On March 27, 2024, on behalf of GSWC, I submitted further
12 comments to the Watermaster Board of Directors regarding the 2024 PSY Update. A true and
13 correct copy of that March 27, 2024 letter, together with the transmittal email, is attached hereto as
14 **Exhibit 14** to GSWC Evidence. On March 27, 2024, Watermaster’s Board of Directors accepted
15 the 2024 PSY Update and adopted the 2024–25 FPA recommendation based on the updated PSY
16 calculations included in the 2024 PSY Update. The Watermaster Engineer responded to my
17 February 28, 2024 comment letter (Exhibit 14) in its Memorandum from Robert Wagner, et. al. to
18 Lee McElhaney, dated April 12, 2024 (“**Watermaster Response**”). A true and correct copy of the
19 Watermaster Response is attached as **Exhibit 15** to GSWC Evidence.

20 8. On May 1, 2024, the Watermaster filed its Thirtieth Annual Report of the Mojave
21 Basin Area Watermaster, Water Year 2022–23, dated May 1, 2024 (“**30th Annual Report**”) and
22 Appendix L thereto with the Court along with a Motion to Adjust the Free Production Allowance
23 for Water Year 2024–2025 along with a supporting Declaration of Robert C. Wagner, the
24 Watermaster Engineer, that included the 2024 PSY Update. A true and correct copy of the 30th
25 Annual Report and Appendix L thereto are attached as **Exhibits 5** and **6** to GSWC Evidence. Prior
26 year Annual Reports and related appendices are available on the Watermaster’s website at:
27 <https://www.mojavewater.org/basin-management/watermaster/reports/>.


28 9. On May 31, 2024, GSWC filed its Opposition to Mojave Water Agency’s Motion

1 Adjust Free Production Allowance for Water Year 2024–2025 on the grounds that Watermaster’s
2 2024 PSY Update for the Alto Subarea, including the Transition Zone, and the Centro Subarea is
3 not based on the best available science and therefore may not accurately estimate the quantity of
4 inflows from the Transition Zone into the Centro Subarea. In light of these identified potential
5 inaccuracies in Watermaster’s PSY Update, GSWC requested that the Court to order Watermaster
6 to undertake further evaluation of the PSY for the Alto Subarea, including the Transition Zone, and
7 the Centro Subarea, using the best available data and sound science and engineering.

8 10. On July 3, 2024, the Court entered its Ruling on the Watermaster’s Annual Motion
9 to Adjust Free Production Allowance for Water Year 2024–25. A true and correct copy of the
10 Court’s July 3, 2024 Order is attached as **Exhibit 3** to GSWC Evidence.

11 11. Following receipt of the Court’s July 3, 2024 Order, I met and conferred with
12 Watermaster legal counsel Leland P. McElhaney, Esq. and we agreed upon a hearing date and
13 briefing schedule.

14
15 I declare, under penalty of perjury, under the laws of the State of California, that the
16 foregoing is true and correct. Executed on September 5, 2024 at Santa Barbara, California.

17
18 
19 _____
20 STEPHANIE OSLER HASTINGS
21
22
23
24
25
26
27
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PROOF OF SERVICE

I am over the age of eighteen years and not a party to the within-entitled action. I am employed in Santa Barbara County, California. My business address is Brownstein Hyatt Farber Schreck, LLP, 1021 Anacapa Street, 2nd Floor, Santa Barbara, California 93101-2711. My electronic service address is Meldridge@bhfs.com. On September 5, 2024, I served a copy of the following document(s):

DECLARATION OF STEPHANIE OSLER HASTINGS IN SUPPORT OF GOLDEN STATE WATER COMPANY'S MOTION TO ENFORCE JUDGMENT



BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) listed above to be sent to the persons at the e-mail addresses listed below

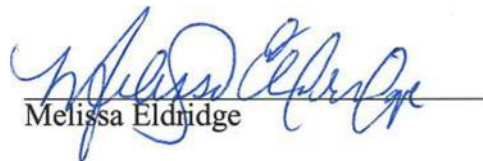
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Mojave Basin Area Watermaster

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on September 5, 2024, at Santa Barbara, California.


Melissa Eldridge

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 September 6, 2024, 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:

DECLARATION OF STEPHANIE OSLER HASTINGS IN SUPPORT OF GOLDEN STATE WATER COMPANY'S MOTION TO ENFORCE JUDGMENT

 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 September 6, 2024 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of September 06, 2024

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Mojave Basin Area Watermaster Service List as of September 06, 2024

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Mojave Basin Area Watermaster Service List as of September 06, 2024

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Mojave Basin Area Watermaster Service List as of September 06, 2024

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Mojave Basin Area Watermaster Service List as of September 06, 2024

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Mojave Basin Area Watermaster Service List as of September 06, 2024

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