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*Exempt from filing fee pursuant to
Gov't. Code Section 6103*

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7 Attorneys for Plaintiff,
THE MOJAVE WATER AGENCY,
8 AS THE MOJAVE BASIN AREA WATERMASTER

9
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 MOJAVE BASIN WATER CASES)

JCCP NO.: 5265
CIV208568 (LEAD CASE NUMBER)
Dept. 1, Riverside Superior Court
Hon. Harold W. Hopp, Judge Presiding

15 _____)
16 THE MOJAVE WATER AGENCY, AS)
17 THE MOJAVE BASIN AREA)
18 WATERMASTER,)

17 Plaintiff,

18 vs.

19 All persons who are not presently parties to)
20 the comprehensive groundwater)
21 adjudication in the *City of Barstow, et al.*,)
22 *v. City of Adelanto, et al.*, Riverside)
23 Superior Court Case No. CIV 208568, and)
are either producing more than 10 acre-feet)
of Basin groundwater annually, or using)
Basin groundwater for unlawful purposes,)
and Does 1 through 2,000,)

24 Defendants.)

_____)
CASE NO.: CIVSB 2218461
**NOTICE OF RULING ON
DEMURRER OF SHADOW
MOUNTAIN RANCH, LLC TO
MOJAVE WATER AGENCY'S FIRST
AMENDED COMPLAINT**

Date: August 9, 2024
Time: 8:30 a.m.
Dept.: 1
RESERVATION NO.: 668225533612

Assigned for All Purposes to Dept. 1, Hon.
Harold W. Hopp, Judge Presiding

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TO ALL PARTIES TO THIS ACTION AND THEIR COUNSEL OF RECORD:
PLEASE TAKE NOTICE THAT, on November 6, 2024, the Court ruled on the demurrer of
Shadow Mountain Ranch, LLC to Mojave Water Agency’s First Amended Complaint.

A copy of the Court’s ruling is attached hereto.

Dated: November 13, 2024 **BRUNICK, McELHANEY & KENNEDY PLC**

By: *Leland P. McElhaney*
Leland P. McElhaney
Attorneys for Defendant/Cross-complainant,
MOJAVE WATER AGENCY

BRUNICK, MCELROY & KENNEDY
PROFESSIONAL LAW CORP

NOV 12 2024

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

NOV 06 2024

E. Escobedo

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

TITLE: Mojave Basin Water Cases v.	DATE & DEPT. November 6, 2024	NUMBER JCCP5265 CIV208568
COUNSEL None	REPORTER None	
PROCEEDING Ruling on Submitted Matter-Demurrer of Shadow Mountain Ranch to Mojave Water Agency's First Amended Complaint		

The demurrer of defendant Shadow Mountain Ranch to Mojave Water Agency's first amended complaint is sustained as to the issue of whether the FAC fails to allege that defendant SMR acted unlawfully by using groundwater in a manner that is not lawful, reasonable and beneficial. Except as stated herein, the demurrer is overruled.

MWA may amend the FAC within 20 days of notice of this order.

Clerk to give notice.

HAROLD W. HOPP, Judge

E. Escobedo (vis), Clerk

Pages 1 of 1

1 **PROOF OF SERVICE**

2 *The Mojave Water Agency, as the Mojave Basin Area Watermaster vs. All Persons Who are*
3 *not presently parties to the comprehensive groundwater adjudication in the City of*
4 *Barstow, et al., v. City of Adelanto, et al., Riverside Superior Court Case No. CIV208568,*
5 *and are either producing more than 10 acre-feet of Basin groundwater annually, or using*
6 *Basin groundwater for unlawful purposes, and Does 1 through 2,000*
7 *San Bernardino Superior Court Case No.: CIVSB 2218461*

8 *Mojave Basin Water Cases JCCP5265*

9 I am employed in the County of the San Bernardino, State of California. I am over the
10 age of 18 and not a party to the within action; my business address is 1839 Commercenter
11 West, P.O. Box 13130, San Bernardino, California 92423-3130.

12 On November 13, 2024, I served the following entitled document(s): **NOTICE OF**
13 **RULING ON DEMURRER OF SHADOW MOUNTAIN RANCH, LLC TO MOJAVE**
14 **WATER AGENCY'S FIRST AMENDED COMPLAINT** on the interested parties in this
15 action in the manner described below, addressed as follows:

16 **SEE ATTACHED SERVICE LIST**

17 **BY MAIL AS FOLLOWS:** I am “readily familiar” with the firm’s practice of
18 collection and processing correspondence for mailing. Under that practice it would be
19 deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid
20 at San Bernardino, California in the ordinary course of business. I am aware that on motion
21 of the party served, service is presumed invalid if postal cancellation date or postage meter
22 date is more than one day after date of deposit for mailing in affidavit.

23 **XX BY ELECTRONIC MAIL AS FOLLOWS:** On this date, the aforesaid document
24 was transmitted by electronic mail to the person(s) whose name(s) and e-mail address are
25 listed. The transmission(s) were reported without error.

26 **(BY OVERNIGHT COURIER SERVICE):** I caused such envelopes to be delivered
27 via overnight courier service to the addressee(s) described above.

28 **X (STATE)** I declare under penalty of perjury under the laws of the State of California
that the above is true and correct

Executed November 13, 2024, in the City of San Bernardino, State of California.

24 P. Jo Anne Quihuis
25 P. Jo Anne Quihuis

SERVICE LIST

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Attorneys for CITY OF VICTORVILLE

SERVICE LIST

The Mojave Water Agency, as the Mojave Basin Area Watermaster vs. All Persons Who are not presently parties to the comprehensive groundwater adjudication in the City of Barstow, et al., v. City of Adelanto, et al., Riverside Superior Court Case No. CIV208568, and are either producing more than 10 acre-feet of Basin groundwater annually, or using Basin groundwater for unlawful purposes, and Does 1 through 2,000

San Bernardino Superior Court Case No.: CIVSB 2218461

Mojave Basin Water Cases JCCP5265

Shunxing Weng 135 W. Newmark Ave., Apt. A Monterey Park, California 91754	Defendant, In Pro Per
Jasper Young Kim 2665 Amber Wood Pl. Thousand Oaks, California 91362	Defendant, In Pro Per
Jae Hwan Lee 1520 James M. Wood Blvd. Los Angeles, California 90015	Defendant In Pro Per
Byung Koo Chin 15648 Meridian Rd. Lucerne Valley, California 92356	Defendant In Pro Per
Law Offices of Matthew C. Mullhofer, PC Matthew C. Mullhofer, Esq. 18012 Sky Park Circle, Ste. 100A Irvine, California 92614 Telephone: (714) 827-9955 Facsimile: (714) 827-9966 E-Mail: mcm@matthewcmullhofer.com	Attorneys for Defendant, Jing Chen
Cameron H. Totten Paul P. Cheng Gene S. Lizaso PPRC Law, APC 790 E. Colorado Blvd., Suite 260 Pasadena, California 91101 Tele: (626) 356-8880 Fax: (888) 231-8196 E-Mail: litigation@pprclaw.com	Attorneys for Defendant, Weilong Huang

updated 03.13.24

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 November 13, 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:

NOTICE OF RULING ON DEMURRER OF SHADOW MOUNTAIN RANCH, LLC TO MOJAVE WATER AGENCY'S FIRST AMENDED COMPLAINT

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 November 13, 2024 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of November 13, 2024

Attn: Roberto Munoz
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Attn: John McCallum
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Attn: Jessie Florez
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Adelanto, CA 92301-1914

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Attn: Chun Soo and Wha Ja Ahn
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Murrieta, CA 92563-6710

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22545 Del Oro Road
Apple Valley, CA 92308-8206

Attn: Matthew Patterson
Apple Valley Heights County Water District
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Apple Valley, CA 92308-0938

Attn: Parks and Recreation Town of Apple
Valley
Apple Valley Unified School District
14955 Dale Evans Parkway
Apple Valley, CA 92307-3061

Attn: Emely and Joe Saltmeris
Apple Valley View Mutual Water Company
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Apple Valley, CA 92307-0072

Attn: Tina Kuhns
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Attn: John Munoz
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Attn: Curtis Palmer
Baron, Susan and Palmer, Curtis
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Attn: Jennifer Riley (hriley@barstowca.org)
Barstow, City of (via email)
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Bartels, Gwendolyn J.
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Jerome, ID 83338-5256

Mojave Basin Area Watermaster Service List as of November 13, 2024

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Attn: Chuck Bell (Chuckb193@outlook.com;
Chuckb193@outlook.com)
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Best, Byron L.
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Lake Forest, CA 92630-2011

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Dolch Living Trust Robert and Judith
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Attn: Carl Fischer (carlsfischer@hotmail.com;
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San Bernardino, CA 92405-3029

Attn: Paul Johnson
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Attn: Daisy Cruz
Foothill Estates MHP, LLC
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(cfrates@renewablegroup.com)
Frates, D. Cole (via email)
113 S La Brea Ave., 3rd Floor
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Attn: Deborah A. Friend
Friend, Joseph and Deborah
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waltbrock@ironwood.org)
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49191 Cherokee Road
Newberry Springs, CA 92365

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Gabrych, Eugene
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Fallbrook, CA 92028-8816

Mojave Basin Area Watermaster Service List as of November 13, 2024

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Mojave Basin Area Watermaster Service List as of November 13, 2024

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Mojave Basin Area Watermaster Service List as of November 13, 2024

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Mojave Basin Area Watermaster Service List as of November 13, 2024

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Mojave Basin Area Watermaster Service List as of November 13, 2024

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Mojave Basin Area Watermaster Service List as of November 13, 2024

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Mojave Basin Area Watermaster Service List as of November 13, 2024

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