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MOJAVE WATER AGENCY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

CITY OF BARSTOW, et al.,

Plaintiffs

v.

CITY OF ADELANTO, et al.,

Defendants

And Related Cross-Actions

**LEAD CASE NO.: CIV 208568
JCCP5265 MOJAVE BASIN WATER CASES**

**STIPULATION FOR INTERVENTION AND
SUBMISSION TO JUDGMENT; [PROPOSED]
ORDER THEREON**

Assigned for All Purposes to:
Judge Harold W. Hopp, Judge Presiding
Department 1

STIPULATION FOR INTERVENTION AND SUBMISSION TO JUDGMENT

Cross-Complainant Mojave Water Agency ("MWA"), acting in its capacity as the Mojave Basin Area Watermaster, and intervening party, The Survivor's Trust of the 1986 Fitzwater Living Trust dated April 20, 1986, hereinafter referred to as "The Trust", agrees and stipulates as follows:

1. On January 10, 1996, the Court entered its Judgment after Trial in the above-entitled action.
2. The Trust was not previously a party to this action and thus was not bound by that judgment.
3. The Trust now agrees (a) to seek leave to intervene in this action and (b) to submit to and be bound by the Judgment entered in this matter on January 10, 1996, as subsequently amended.

1 4. The Trust further stipulates to a Base Annual Production Right of 291 acre-feet.

2
3 Dated: 4/9/2025



Cora Alice Countryman, Successor Co-Trustee
The Survivor's Trust of the 1986 Fitzwater Living
Trust dated April 20, 1986

4
5
6 Dated: 4/9/2025



Anna Marie King, Successor Co-Trustee
The Survivor's Trust of the 1986 Fitzwater Living
Trust dated April 20, 1986

7
8
9 Dated: 4/9/2025



Richard Bruce Fitzwater, Successor Co-Trustee
The Survivor's Trust of the 1986 Fitzwater Living
Trust dated April 20, 1986

10
11
12
13 **BRUNICK, McELHANEY & KENNEDY PLC**

14
15 Dated: 04/15/25

By: William J. Brunick

William J. Brunick, Attorney for Defendant &
Cross-Complainant, MOJAVE WATER AGENCY

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2
3
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7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF RIVERSIDE**

10 **CITY OF BARSTOW, et al.,**

11 **Plaintiffs**

12 **v.**

13 **CITY OF ADELANTO, et al.,**

14 **Defendants**

15 **And Related Cross-Actions**

LEAD CASE NO.: CIV 208568
JCCP5265 MOJAVE BASIN WATER CASES

ORDER PURSUANT TO STIPULATION

Assigned for All Purposes to:
Judge Harold W. Hopp, Judge Presiding
Department 1

16
17 **ORDER PURSUANT TO STIPULATION**

18 Pursuant to the stipulation recited above, IT IS HEREBY ORDERED:

- 19 A. The requested leave to intervene is granted. The Survivor's Trust of the 1986 Fitzwater
20 Living Trust dated April 20, 1986 is hereby made a party to this action and is bound by the
21 terms of the Judgment after Trial, dated January 10, 1996 as thereafter amended.
- 22 B. This order is conditioned on there being no meritorious objections to the intervention. If any
23 party to this action opposes the intervention of The Survivor's Trust of the 1986 Fitzwater
24 Living Trust dated April 20, 1986 for any reason, that party shall file a written objection to the
25 intervention with the Court no later than 30 days from the date that the Watermaster sends
26 out written notice of this order.
- 27 C. If any such objection is filed, the party filing the objection shall deliver a copy of that party's
28 objection to the Watermaster no later than three court days after the filing date.

- 1 D. The Watermaster shall promptly serve copies of the objection on all other parties and shall
2 file a proof of service with the Court.
- 3 E. Upon receiving a conformed copy of an objection, the Watermaster shall request a hearing
4 date from the Court.
- 5 F. If no objection is filed within the time specified above, then this order granting intervention
6 and submitting the intervenor to the terms of the Judgment after Trial shall become final and
7 unconditional without further order of this Court.
- 8 G. If an objection is filed but overruled following a hearing on that objection, then the order shall
9 become final and unconditional upon the entry of the order overruling that objection.
10
11

12 Dated: _____

Hon. Harold W. Hopp
Judge of the Superior Court

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 April 15, 2025, 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:

STIPULATION FOR INTERVENTION AND SUBMISSION TO JUDGMENT; [PROPOSED] ORDER THEREON

 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 April 15, 2025 at Apple Valley, California.



Jeffrey D. Ruesch

Mojave Basin Area Watermaster Service List as of April 15, 2025

Attn: Roberto Munoz
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Attn: Parks and Recreation Town of Apple Valley
Apple Valley Unified School District
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Apple Valley, CA 92307-3061

Attn: Emely and Joe Saltmeris
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Chuckb193@outlook.com)
Bell, Charles H. Trust dated March 7, 2014
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Mojave Basin Area Watermaster Service List as of April 15, 2025

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Gabrych Family Trust dated Octobner 9, 2007
2006 Old Highway 395
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Mojave Basin Area Watermaster Service List as of April 15, 2025

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Mojave Basin Area Watermaster Service List as of April 15, 2025

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Mojave Basin Area Watermaster Service List as of April 15, 2025

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Mojave Basin Area Watermaster Service List as of April 15, 2025

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Mojave Basin Area Watermaster Service List as of April 15, 2025

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Mojave Basin Area Watermaster Service List as of April 15, 2025

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Mojave Basin Area Watermaster Service List as of April 15, 2025

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Mojave Basin Area Watermaster Service List as of April 15, 2025

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