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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE, CIVIL COMPLEX CENTER

MOJAVE PISTACHIOS, LLC; et al.,

Plaintiffs,

v.

INDIAN WELLS VALLEY WATER DISTRICT; et al.,

Defendants.

Case No. 30-2021-01187275-CU-OR-CJC

[Related to: 30-2021-01187589-CU-WM-CXC & 30-2021-01188089-CU-WM-CXC]

Assigned For All Purposes To:
The Honorable Kirk Nakamura, Dept. CX103

INDIAN WELLS VALLEY WATER DISTRICT,

Cross-Complainant,

v.

ALL PERSONS WHO CLAIM A RIGHT TO EXTRACT GROUNDWATER IN THE INDIAN WELLS VALLEY GROUNDWATER BASIN NO. 6-54 WHETHER BASED ON APPROPRIATION, OVERLYING RIGHT, OR OTHER BASIS OF RIGHT, AND/OR WHO CLAIM A RIGHT TO USE OF STORAGE SPACE IN THE BASIN; et al.,

Cross-Defendants.

NOTICE OF COMMENCEMENT OF GROUNDWATER BASIN ADJUDICATION OF THE INDIAN WELLS VALLEY GROUNDWATER BASIN, BASIN NO. 6-54

Case Management Conference:
Date: November 19, 2021
Time: 9:00 AM
Dept.: CX103

Complaint Filed: November 19, 2019
Trial Date: None Set

1 A form answer is provided for your convenience. You may fill out the form
2 answer and file it with the court. Should you choose to file the form answer, it will
3 serve as an answer to all complaints and cross-complaints filed in this case.

4 The following information is provided pursuant to Code of Civil Procedure
5 section 836(a)(1)(B):

6 (i) Name of Basin: Indian Wells Valley Groundwater Basin,
7 Department of Water Resources Bulletin 118 Groundwater Basin No. 6-54.
8 Interactive maps of the Indian Wells Valley Groundwater Basin are available at
9 <https://sgma.water.ca.gov/webgis/?appid=160718113212&subbasinid-4-008>

10 and

11 <https://gis.water.ca.gov/app/bbat/>

12 and

13 <https://gis.water.ca.gov/app/bp-dashboard/final/>.

14 (ii) Case No. 30-2021-01187275-CU-OR-CJC, Superior Court of
15 California, County of Orange, Civil Complex Center located at 751 West Santa
16 Ana Boulevard, Santa Ana, California 92701. Assigned to The Honorable Kirk
17 Nakamura, Department CX103.

18 (iii) The cross-complaint may be obtained from and a copy of the
19 form answer should be sent to cross-complainant's attorney, who may be contacted
20 at the following mailing addresses, telephone numbers, and email addresses:

21
22 James A. Worth
23 McMurtrey, Hartsock & Worth
24 2001 22nd Street, Suite 100
25 Bakersfield, CA 93301
26 (714) 277-1750
27 jim@mhlegal.com

Douglas J. Evertz
Murphy & Evertz LLP
650 Town Center Drive, Suite 550
Costa Mesa, CA 92626
(714) 277-1750
iwvgb@murphyevertz.com

1 (iv) Cross-Complainant's Cross-Complaint seeks a comprehensive
2 adjudication of the Indian Wells Valley Groundwater Basin ("Basin") and alleges
3 one cause of action. The First Cause of Action for Comprehensive Adjudication
4 and Physical Solution pursuant to Code of Civil Procedure sections 830 to 852 is
5 asserted against all cross-defendants. Cross-Complainant seeks the following
6 relief: (a) a judgment to comprehensively determine and adjudicate all
7 groundwater rights in the Basin and to provide a physical solution for the perpetual
8 and continuous management of the Basin pursuant to Code of Civil Procedure
9 sections 849 and 850; (b) a preliminary injunction to provide for the management
10 of the Basin, on an interlocutory basis, through entry of final judgment and any
11 appeal, pursuant to Code of Civil Procedure section 847; (c) entry of judgment
12 against all cross-defendants who fail to appear in this action that they be bound by
13 any judgment and physical solution, and their storage rights in the Basin, if any, be
14 limited to the terms of the judgment; (d) entry of judgment against all persons who,
15 presently or in the future, own an interest in real property overlying the Basin and
16 who fail to appear in this action that they be bound by the judgment and physical
17 solution, and their water rights in the Basin, if any, be limited to the terms of the
18 judgment; and (e) such other and further relief as the Court deems just and proper.

19 (v) Date by which persons receiving the notice must appear in the
20 comprehensive adjudication: **Within sixty (60) days of receiving this notice.**
21 The Case Management Conference in this groundwater basin adjudication
22 proceeding is set for November 19, 2021 at 9:00 AM in Department CX103 of the
23 Orange County Superior Court, Civil Complex Center, located at 751 West Santa
24 Ana Boulevard, Santa Ana, California 92701.