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Govt. Code § 6103

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Attorneys for Defendant, Cross-Complainant, & Cross-Defendant
INDIAN WELLS VALLEY WATER DISTRICT

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
*[Indian Wells Valley Groundwater
Adjudication]*

Assigned For All Purposes To:
The Honorable William Claster, Dept. CX101

**DECLARATION OF DOUGLAS J.
EVERTZ IN SUPPORT OF TECHNICAL
WORKING GROUP PARTIES'
OBJECTION TO STATE WATER
RESOURCES CONTROL BOARD'S
SPECIAL MASTER CANDIDATE FOR
PHASE 2 TRIAL RECOMMENDATION
ON SAFE YIELD**

RELATED TO ROA 1959, 2122

INDIAN WELLS VALLEY WATER
DISTRICT,

Complaint Filed: November 19, 2019
Phase 1 Trial Date: April 28, 2025
Phase 2 Trial Date: June 8, 2026

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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.
SEARLES VALLEY MINERALS INC.,
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.

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17 Attorneys for Defendants and Cross-Defendants
18 MEADOWBROOK DAIRY REAL ESTATE, LLC;
19 BIG HORN FIELDS, LLC; BROWN ROAD
20 FIELDS, LLC; HIGHWAY 395 FIELDS, LLC; and
21 THE MEADOWBROOK MUTUAL WATER
22 COMPANY

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Attorneys for Defendant, Cross-Defendant, and Cross-Complainant
SEARLES VALLEY MINERALS INC.

6. On October 5, 2026, I participated in separate “interviews” via Teams with the three candidates proposed by the Technical Working Group parties. Counsel for all parties active in Phase 2 participated in all three interviews. Following the interviews, the candidates provided information on their backgrounds, colleagues who may assist the candidate and their backgrounds, rates, and contacts with any of the parties, counsel, or witnesses to Phase 2.

7. As of the signing of this declaration, I have not received any proposed candidates from the City of Ridgecrest, the Indian Wells Valley Groundwater Authority, or the United States.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 23rd day of October 2026, at Costa Mesa, California.

Douglas J. East

Douglas J. Evertz

EXHIBIT E

From: Keith Lemieux <klemieux@awattorneys.com>
Sent: Thursday, July 9, 2026 9:46 AM
To: emadueno@murphyevertz.com; eric.garner@bbklaw.com; jeffrey.dunn@bbklaw.com; alison.toivola@bbklaw.com; Hoffman, Derek; Hood, Sean; jmarkman@rwglaw.com; kbrochard@rwglaw.com; jmetz@rwglaw.com; alemieux@awattorneys.com; phall@awattorneys.com; David.Gehlert@usdoj.gov; Judith.Coleman@usdoj.gov; alexa.penalosa@usdoj.gov
Cc: jim@mhwslegal.com; Devertz@murphyevertz.com
Subject: IWV - Special Master Process

I had the chance to speak with my board yesterday on this topic. They accepted my recommendation for Bondy, but they would like to see the State Board's list before they commit.

Keith Lemieux | Equity Partner

PLEASE NOTE NEW ADDRESS AS OF 8.1.25

Aleshire & Wynder, LLP | 340 N. Westlake Blvd., Suite 115, Thousand Oaks, CA. 91362

(805) 495-4770

klemieux@awattorneys.com | www.awattorneys.com



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From: Emily Madueno <emadueno@murphyevertz.com>
Sent: Wednesday, July 8, 2026 3:49 PM
To: Eric Garner - Best Best & Krieger LLP (eric.garner@bbklaw.com) <eric.garner@bbklaw.com>; Jeffrey Dunn - Best Best & Krieger LLP (jeffrey.dunn@bbklaw.com) <jeffrey.dunn@bbklaw.com>; Alison K. Toivola (alison.toivola@bbklaw.com) <alison.toivola@bbklaw.com>; dhoffman@fennemorelaw.com <dhoffman@fennemorelaw.com>; shood@fennemorelaw.com <shood@fennemorelaw.com>; James L. Markman - Richards, Watson & Gershon (jmarkman@rwglaw.com) <jmarkman@rwglaw.com>; kbrochard@rwglaw.com <kbrochard@rwglaw.com>; Jacob C. Metz (jmetz@rwglaw.com) <jmetz@rwglaw.com>; Keith Lemieux <klemieux@awattorneys.com>; Alex Lemieux <alemieux@awattorneys.com>; Phillip Hall <phall@awattorneys.com>; Gehlert, David (ENRD) <David.Gehlert@usdoj.gov>; Coleman, Judith (ENRD) <Judith.Coleman@usdoj.gov>; Alexa Penalosa

<alexa.penalosa@usdoj.gov>

Cc: Jim Worth <jim@mhwslegal.com>; Doug Evertz <Devertz@murphyevertz.com>

Subject: IWV - Special Master Process

*** EXTERNAL SENDER ***

Good afternoon, All,

Attached is a draft proposed order setting forth a proposed process for a special master. We are still giving this some thought and may suggest revisions, but we wanted to circulate a proposal to keep discussions going. We look forward to your feedback.

Thank you.

Best regards,

Emily

Emily L. Madueno

Partner

650 Town Center Drive □□□ Suite 550 □□□ Costa Mesa, CA 92626

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EXHIBIT F

From: Doug Evertz <Devertz@murphyevertz.com>
Sent: Wednesday, September 16, 2026 9:53 AM
To: Kyle Brochard; James L. Markman (jmarkman@rwglaw.com); Jacob Metz; Keith Lemieux; Alex Lemieux; Phillip Hall; Coleman, Judith (ENRD); Penalosa, Alexa (ENRD); Eric Garner; Jeffrey Dunn; Alison K. Toivola (alison.toivola@bbklaw.com); Hood, Sean; Hoffman, Derek
Cc: Jim Worth; Emily Madueno
Subject: Indian Wells Valley Adjudication--Special Master Candidates

All,

The District, Searles, and Meadowbrook propose recommending the following three candidates to the Court to serve as special master. In no particular order:

- Anthony D. Daus III, PG, BCES, Vice President & Principal Hydrogeologist at GSI Environmental (https://www.gsienv.com/gsi_staff/anthony-d-daus-p-g-bces/);
- Bryan Bondy, MS, President at Bondy Groundwater Consulting (<https://www.linkedin.com/in/bryan-bondy-06342060/>); and
- Reed M. Maxwell, Ph.D., Professor at Princeton and Director of the Integrated Groundwater Modeling Center (<https://maxwell.princeton.edu/>).

The District, Searles, and Meadowbrook object to Samuel Boland-Brien, the candidate recommended by the SWRCB, serving as special master.

We can confirm that no one working on behalf of the District, Searles, or Meadowbrook has had any unilateral contact regarding this case with any of the three candidates listed above.

We look forward to discussing these candidates with you tomorrow during our meeting and confer.

Doug

Douglas J. Evertz

Partner

650 Town Center Drive · Suite 550 · Costa Mesa, CA 92626

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EXHIBIT I

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 COUNTY OF ORANGE - CIVIL COMPLEX CENTER
3 DEPARTMENT CX101 HON. WILLIAM D. CLASTER, JUDGE
4 CASE NO. 30-2021-01187275-CU-OR-CJC
5

6 MOJAVE PISTACHIOS, LLC; ET AL.,)
7)
8 PLAINTIFFS,)
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10 VS.)
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12 INDIAN WELLS VALLEY WATER DISTRICT; ET AL.,)
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14 DEFENDANTS.)
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--COMPLETE CAPTION ON FOLLOWING PAGE--

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17 REPORTER'S TRANSCRIPT OF TRIAL PROCEEDINGS
18 PHASE 2 TRIAL
19 VOLUME 10
20 PAGES 2066-2187
21 MONDAY, JUNE 29, 2026
22
23
24

25 COURT REPORTER: CODY KNACKE, CSR, RDR
26 CERTIFICATE NO. CSR 13691

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE - CIVIL COMPLEX CENTER
DEPARTMENT CX101 HON. WILLIAM D. CLASTER, JUDGE
CASE NO. 30-2021-01187275-CU-OR-CJC

MOJAVE PISTACHIOS, LLC; ET AL.,
PLAINTIFFS,
VS.
INDIAN WELLS VALLEY WATER DISTRICT; ET AL.,
DEFENDANTS.

INDIAN WELLS VALLEY WATER DISTRICT,
CROSS-COMPLAINANT,
VS.
ALL PERSONS WHO CLAIM A RIGHT TO EXTRACT
GROUNDWATER IN THE INDIAN WELLS VALLEY
GROUNDWATER BASIN NO. 6-54 WHETHER BASED ON
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STORAGE SPACE IN THE BASIN; ET AL.,
CROSS-DEFENDANTS.

SEARLES VALLEY MINERALS INC.,
CROSS-COMPLAINANT,
VS.
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.

1 BOARD ONLY TO ELIMINATE THE CONCERN.

2 THE COURT: OKAY. THAT MAKES SENSE TO ME.
3 HANG ON.

4 OKAY. I THINK THAT'S PROBABLY THE BEST
5 COMPROMISE, TO HAVE THE STATE WATER RESOURCES CONTROL
6 BOARD GIVE YOU A LIST OF POSSIBLE --

7 IT OCCURRED TO ME AS I THOUGHT ABOUT IT OVER
8 LUNCH THERE'S NOT A LOT OF DIFFERENCE FROM YOU COMING UP
9 WITH A NAME, THE DISTRICT COMING UP WITH A NAME, THAN
10 THE STATE WATER BOARD OR THE DWR. I MEAN, OBVIOUSLY, IF
11 YOU GIVE A NAME, YOU THINK THAT PERSON WOULD BE GOOD,
12 MAYBE SEE THE LIGHT OF YOUR ARGUMENTS.

13 BUT IT'S JUST A SUGGESTION. YOU DON'T HAVE TO
14 AGREE TO IT.

15 I THINK ULTIMATELY IF YOU CAN'T AGREE, I'LL
16 PROBABLY REQUEST THREE NAMES FROM EACH OF YOU, AND WE'LL
17 FIGURE OUT AS WE WOULD WITH A REFEREE, MAYBE I'LL HAVE
18 YOU RANK THEM AND WE'LL SEE WHERE WE GO FROM THERE.

19 MR. EVERTZ: I DO HOPE THAT -- I WON'T SAY I
20 HAVE CONFIDENCE, BUT I DO HOPE WE GET A NEUTRAL. AND
21 WE'RE WORKING TOWARDS THAT.

22 THE COURT: I DO TOO. AND OBVIOUSLY THERE'S
23 BEEN A LOT OF TESTIMONY REGARDING THE EFFECTIVENESS OF
24 MODELING VERSUS THE CHANGE IN STORAGE METHOD. HOPEFULLY
25 WE GET -- WE GET SOMEONE WHO ISN'T COMMITTED ONE WAY OR
26 THE OTHER TO SAYING THIS IS THE BEST METHOD, THIS IS NOT

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) SS.
COUNTY OF ORANGE)

I, CODY R. KNACKE, RDR, CSR, HEREBY CERTIFY:

THAT I WAS THE DULY APPOINTED, QUALIFIED
SHORTHAND REPORTER OF SAID COURT IN THE ABOVE-ENTITLED
ACTION TAKEN ON THE ABOVE-ENTITLED DATE; THAT I REPORTED
THE SAME IN MACHINE SHORTHAND AND THEREAFTER HAD THE
SAME TRANSCRIBED THROUGH COMPUTER-AIDED TRANSCRIPTION AS
HEREIN APPEARS; AND THAT THE FOREGOING TYPEWRITTEN PAGES
CONTAIN A TRUE AND CORRECT TRANSCRIPT OF THE PROCEEDINGS
HELD IN SAID MATTER AT SAID TIME AND PLACE TO THE BEST
OF MY ABILITY.

DATED: JULY 9, 2026



CODY R. KNACKE, RDR, CSR NO. 13691

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