

1 James A. Worth, State Bar No. 147207
2 McMURTREY, HARTSOCK, WORTH & ST LAWRENCE
3 2001 22nd Street, Suite 100
4 Bakersfield, California 93301
5 Telephone No.: 661.322.4417
6 Fax No.: 661.322.8123
7 Email: jim@mhwslegal.com

Exempt From Fees Per
Govt. Code § 6103

6 Douglas J. Evertz, State Bar No. 123066
7 Emily L. Madueno, State Bar No. 251721
8 MURPHY & EVERTZ LLP
9 650 Town Center Drive, Suite 550
10 Costa Mesa, California 92626
11 Telephone No.: 714.277.1700
12 Fax No.: 714.277.1777
13 Email: devertz@murphyevertz.com
14 emadueno@murphyevertz.com

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

13
14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 FOR THE COUNTY OF ORANGE, CIVIL COMPLEX CENTER

16 MOJAVE PISTACHIOS, LLC; et al.,

17 Plaintiffs,

18 v.

19 INDIAN WELLS VALLEY WATER
20 DISTRICT; et al.,

21 Defendants.

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

*[Related to: Case No. 30-2021-01187589-CU-
WM-CXC; Case No. 30-2021-01188089-CU-
WM-CXC; Case No. 30-2022-01239479-CU-
MC-CJC; Case No. 30-2022-01239487-CU-
MC-CJC; Case No. 30-2022-01249146-CU-
MC-CJC]*

Assigned For All Purposes To:
The Honorable William Claster, Dept. CX104

**INDIAN WELLS VALLEY WATER
DISTRICT'S SUPPLEMENT RE:
STATUS OF SERVICE TO JOINT CASE
MANAGEMENT CONFERENCE
STATEMENT**

Date: March 17, 2023
Time: 1:30 p.m.
Dept.: CX104

{00255152.1 }

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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.

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.

AND RELATED CASES.

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

1 **SUPPLEMENT RE: STATUS OF SERVICE**

2 **TO JOINT CASE MANAGEMENT CONFERENCE STATEMENT**

3 Defendant, Cross-Complainant, and Cross-Defendant Indian Wells Valley Water District
4 (“District”) submits this supplement to the Joint Case Management Conference Statement merely
5 to clarify the status of service, as follows:

6 1. As reported in the Joint Case Management Conference Statement, on
7 December 9, 2022, the Court granted the District’s Motion for Order Granting Leave to Use
8 Alternative Means to Complete Service under Code of Civil Procedure section 836. In granting
9 the motion, the Court ordered the District to use a combination of three methods of service as an
10 alternative to posting on property under section 836(d)(1)(C): (a) publication of the Notice of
11 Commencement of Comprehensive Adjudication in three newspapers outside the legal notices
12 section; (b) targeted digital advertising of the comprehensive adjudication on the Internet; and
13 (c) providing notice of the comprehensive adjudication in the District’s bills to its customers.

14 2. The District has nearly completed the three alternative methods of service in lieu
15 of posting, having completed the publication and notice in its bills.

16 3. As to the targeted digital advertising: From January 4, 2023 to February 4, 2023,
17 the District ran a targeted digital advertisement throughout Facebook, providing notice of the
18 comprehensive adjudication. The District believed that its Google advertisement was also
19 running during that period. The District has since learned that its advertisement did not run on
20 Google and, therefore, the District began running the advertisement throughout Google on
21 March 9, 2023. The District will run the Google advertisement for a month as well.

22 DATED: March 10, 2023

MURPHY & EVERTZ LLP

23
24 */s/ Emily L. Madueno*

25 By: _____

Douglas J. Evertz

Emily L. Madueno

26 Attorneys for Defendant, Cross-Complainant, &
27 Cross-Defendant

28 INDIAN WELLS VALLEY WATER DISTRICT