

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

Exempt From Fees Per
Govt. Code § 6103

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

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

**NOTICE OF RULING FROM THE
7/31/26 STATUS CONFERENCE**

RELATED TO ROA 2107

Further Status Conference:
Date: September 18, 2026
Time: 1:30 p.m.
Dept.: CX101

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.

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

1 **NOTICE OF RULING**

2 **TO ALL PARTIES AND ATTORNEYS OF RECORD:**

3 **PLEASE TAKE NOTICE** that on July 31, 2026, at 1:30 p.m., the Court held a Status
4 Conference in the above-captioned action.

5 A. The Court made the following rulings:

6 1. A Further Status Conference is set for September 18, 2026, at 1:30 p.m., in
7 Department CX101.

8 2. A Joint Status Conference Statement shall be filed on or before
9 September 11, 2026.

10 3. The deadline to file and serve Phase 2 Closing Trial Briefs is continued
11 from August 21, 2026 to September 21, 2026.

12 4. The Indian Wells Valley Water District shall give notice.

13 B. Attached as Exhibit “1” and incorporated by this reference is a true and correct
14 copy of the Court’s July 31, 2026 Minute Order (ROA 2108).

15 C. The Court entered the Order Requesting the State Water Resources Control Board
16 to Recommend Special Master Candidates (C.C.P. § 845(c)) (ROA 2109). Attached as
17 Exhibit “2” and incorporated by this reference is a true and correct copy of the Court’s Order.
18

19 DATED: August 5, 2026

MURPHY & EVERTZ LLP

20
21 By: /s/ Emily L. Madueno

22 Douglas J. Evertz
23 Emily L. Madueno
24 Attorneys for Defendant, Cross-Complainant, &
25 Cross-Defendant
26 INDIAN WELLS VALLEY WATER DISTRICT
27
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EXHIBIT 1

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 07/31/2026

TIME: 02:30:00 PM

DEPT: CX101

JUDICIAL OFFICER PRESIDING: William Claster

CLERK: G. Hernandez

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: R. Fragola

CASE NO: **30-2021-01187275-CU-OR-CJC** CASE INIT.DATE: 02/16/2021

CASE TITLE: **Mojave Pistachios, LLC vs. Indian Wells Valley Water District**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other Real Property

EVENT ID/DOCUMENT ID: 74894800

EVENT TYPE: Status Conference

APPEARANCES

Amy Steinfeld, from Brownstein Hyatt Farber Schreck, LLP, present for Cross - Defendant,Plaintiff (s) remotely.

James Worth, from McMurtrey, Hartsock, Worth & St. Lawrence, present for Cross - Defendant,Cross - Complainant,Defendant(s) remotely.

Jeffrey V. Dunn and Eric Garner, from Best Best & Krieger LLP, present for Cross - Defendant,Cross - Complainant,Defendant(s) remotely.

Alison K. Toivola, from Best Best & Krieger LLP, present for Cross - Defendant(s) remotely.

Steven G. Martin, from Office of the Los Angeles City Attorney, present for Cross - Defendant(s) remotely.

Irene Whitcombe, from Deputy Attorney General, present for Cross - Defendant(s) remotely.

Kyle Brochard, from Richards, Watson & Gershon, present for Cross - Defendant,Cross - Complainant(s).

Sean Hood and Derek Hoffman, from Fennemore Dowling Aaron LLP, present for Cross - Defendant,Defendant(s) remotely.

Phillip Hall, from Aleshire & Wynder, LLP, present for Cross - Defendant(s) remotely.

Judith Coleman, from U.S. Dept. of Justice, present for Cross - Defendant(s) remotely.

Doug Evertz of Murphy and Evertz appearing remotely for Indian Wells Valley Water District

Hearing held with participants appearing remotely and in person.

Court and counsel discuss the status of the case.

Order Requesting the State Water Resources Control Board to Recommend Special Master Candidates is signed and filed this date.

The deadline for filing of closing briefs is extended to 09/21/2026.

A Status Conference is scheduled for 09/18/2026 at 01:30 PM in Department CX101.

A joint status conference statement is to be filed on or before 09/11/2026.

Court orders Doug Evertz to give notice.

EXHIBIT 2

Exempt From Fees Per
Govt. Code § 6103

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

JUL 31 2026

DAVID H. YAMASAKI, Clerk of the Court

BY: _____, DEPUTY

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

**[PROPOSED] ORDER REQUESTING
THE STATE WATER RESOURCES
CONTROL BOARD TO RECOMMEND
SPECIAL MASTER CANDIDATES
(C.C.P. § 845(c))**

RELATED TO ROA 1959

Phase 2 Trial:

Date: June 8, 2026

Time: 9:00 a.m.

Dept.: CX101

INDIAN WELLS VALLEY WATER
DISTRICT,

Cross-Complainant,

v.

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

ORDER REQUESTING THE STATE WATER RESOURCES CONTROL BOARD
TO RECOMMEND SPECIAL MASTER CANDIDATES (CCP § 845(c))

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

10 Cross-Defendants.

11 SEARLES VALLEY MINERALS INC.,

12 Cross-Complainant,

13 v.

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

23 Cross-Defendants.

ORDER REQUESTING STATE WATER RESOURCES CONTROL BOARD
TO RECOMMEND SPECIAL MASTER CANDIDATES

The Court, having presided over the phase 2 trial (the “Phase 2 Trial”) to determine the safe yield of the Indian Wells Valley Groundwater Basin (the “Basin”) in this comprehensive groundwater adjudication filed pursuant to Code of Civil Procedure section 830 *et seq.*, and having determined to appoint a special master to assist the Court with technical issues involved in the Phase 2 Trial and to make a recommendation to the Court, finds:

A. The Phase 2 Trial was held for a period of ten (10) court days, which commenced on June 8, 2026, and concluded on June 29, 2026.

B. The parties that appeared and presented evidence or examined witnesses during the Phase 2 Trial are listed as follows and referred to herein as the “Phase 2 Trial Parties”:

- (1) City of Ridgecrest (the “City”);
- (2) Indian Wells Valley Groundwater Authority (the “Authority”);
- (3) Indian Wells Valley Water District (the “District”);
- (4) Meadowbrook Dairy Real Estate, LLC, a California Limited Liability Company; Big Horn Fields, LLC, a California Limited Liability Company; Brown Road Fields LLC, a California Limited Liability Company; Highway 395 Fields, LLC, a California Limited Liability Company; and The Meadowbrook Mutual Water Company, a California corporation (collectively, the “Meadowbrook Dairy entities”);
- (5) Searles Valley Minerals Inc. (“Searles”); and
- (6) United States of America (the “United States”).

C. The record of the Phase 2 Trial, including both the record of testimony and the exhibits, is voluminous and of a highly technical nature involving complex issues including hydrology, hydrogeology, and groundwater modeling.

D. Pursuant to Code of Civil Procedure section 845(a)(4) and the Court’s inherent authority, the Court is authorized to appoint a special master to assist the Court with technical issues involved in the Phase 2 Trial and to make a recommendation to the Court.

1 E. Appointment of a special master will assist the Court in evaluating the evidence
2 and will promote efficient, orderly, and technically sound resolution of the Phase 2 Trial, while
3 preserving the Court's exclusive authority to determine all factual and legal issues.

4 F. The Court will be appointing a special master who will be asked to recommend to
5 the Court his or her best estimate of safe yield for the Basin, including identifying the evidentiary
6 basis for his or her recommendation and citing to principal testimony, evidence, assumptions,
7 methodologies, and factual findings relied upon in making his or her recommendation.

8 G. Pursuant to Code of Civil Procedure section 845(c), a "court may request the State
9 Water Resources Control Board . . . to recommend candidates for appointment as a special
10 master."

11 Based on the foregoing and for good cause appearing, the Court enters the following
12 Order Requesting the State Water Resources Control Board to Recommend Special Master
13 Candidates ("Order"), pursuant to Code of Civil Procedure section 845(c), and hereby orders as
14 follows:

15 **1. Request of the State Board.**

16 (a) The State Water Resources Control Board (the "State Board") is requested
17 to submit to this Court a list of candidates ("Candidates List") that the State Board recommends
18 for appointment as a special master to assist the Court in this case as described above.

19 (b) Submission of the Candidates List by the State Board to the Court and
20 counsel for the Phase 2 Trial Parties shall be by email at the following email addresses:

21 (i) Courtroom Clerk: Mr. Gus Hernandez, gghernandez@occourts.org.

22 (ii) The City: Keith Lemieux, Esq., klemieux@awattorneys.com; Alex
23 Lemieux, Esq., alemieux@awattorneys.com; Phillip Hall, Esq.,
24 phall@awattorneys.com.

25 (iii) The IWVGA: James Markman, Esq., jmarkman@rwglaw.com;
26 Kyle Brochard, Esq., kbrochard@rwglaw.com; Jacob Metz, Esq.,
27 jmetz@rwglaw.com.
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- (iv) The District: James Worth, Esq., jim@mhwslegal.com; Douglas Evertz, Esq., devertz@murphyevertz.com; Emily Madueno, Esq., emadueno@murphyevertz.com.
- (v) The Meadowbrook Dairy entities: Derek Hoffman, Esq., dhoffman@fennemorelaw.com; Sean Hood, Esq., shood@fennemorelaw.com.
- (vi) Searles: Eric Garner, Esq., eric.garner@bbklaw.com; Jeffrey Dunn, Esq., jeffrey.dunn@bbklaw.com; Alison Toivola, Esq., alison.toivola@bbklaw.com.
- (vii) The United States: David Gehlert, Esq., david.gehlert@usdoj.gov; Judith Coleman, Esq., judith.coleman@usdoj.gov; Alexa Penalosa, Esq., alexa.penalosa@usdoj.gov.

(c) If the State Board anticipates that it will be unable to submit the requested Candidates List on or before August 20, 2026, the State Board is requested to inform the Court and Phase 2 Trial Parties of its best estimate on the timing ("Timing Estimate") of its submission of the Candidates List. Submission of the State Board's Timing Estimate shall be in the same manner as required for the State Board's submission of the Candidates List as provided above in paragraph 1(b) and shall be submitted on or before August 20, 2026 if the Candidates List is not otherwise submitted on or before that date.

2. Notice. The District shall give notice of this Order.

3. Delivery of Order to the State Board. Within three (3) court days of entry of this Order, the District shall provide a copy of this Order to the Director of the State Board and any others deemed necessary to process this request.

IT IS SO ORDERED.

Dated: _____

7-31-26



The Honorable William D. Cluster

JUDGE OF THE SUPERIOR COURT

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I am a resident of the State of California, over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 650 Town Center Drive, Suite 550, Costa Mesa, CA 92626.

PLEASE SEE SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address aconstant@murphyevertz.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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

Alexandra Constant