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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. CX101

22
23
24 **NOTICE OF RULING FROM THE**
25 **7/15/2025 HEARING AND STATUS**
26 **CONFERENCE**

27 **RELATED TO ROA 1593, 1763, 1774,**
28 **1797, 1798**

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

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

23 AND RELATED CASES.

In All Related Cases

Next Status Conference:

Date: October 14, 2025

Time: 10:00 a.m.

Dept.: CX101

In Case No. 30-2021-01187589,
consolidated with Case No. 30-2021-01188089

Hearing on Writ Petition:

Date: February 4, 2026

Time: 9:00 a.m.

Dept.: CX101

Complaint Filed: November 19, 2019

Phase 1 Trial Date: April 28, 2025

Phase 2 Trial Date: June 1, 2026

1 **NOTICE OF RULING**

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

3 **PLEASE TAKE NOTICE** that on July 15, 2025, at 10:00 a.m., the Court held (a) a
4 hearing on the United States' Motion to File Documents Under Seal ("United States' Motion") in
5 the above-captioned action; and (b) a Further Status Conference in the above-captioned action
6 and all related actions.

7 A. The Court made the following rulings:

8 1. Ruling on the United States' Motion: The Court GRANTED the United States'
9 Motion in the above-captioned action and made its tentative ruling (a true and correct copy of
10 which is attached as Exhibit "1" and incorporated by this reference) the final ruling of the Court;

11 2. Hearing on Writ Petition: The Court set a hearing on the First Amended Petition
12 for Writ of Mandate filed by Searles Valley Minerals Inc. in the related case bearing Case
13 No. 30-2021-01187589-CU-WM-CXC, consolidated with Case No. 30-2021-01188089-CU-
14 WM-CXC, for **February 4, 2026, at 9:00 a.m., in Department CX101** of the Orange County
15 Superior Court, Civil Complex Center, located at 751 West Santa Ana Boulevard, Santa Ana,
16 California 92701;

17 3. Bifurcation & Scheduling: The Court ordered the parties to the related case
18 bearing Case No. 30-2021-01187589-CU-WM-CXC, consolidated with Case
19 No. 30-2021-01188089-CU-WM-CXC, to meet and confer on a stipulation and proposed order
20 to be submitted to the Court covering bifurcation and a schedule for certifying the administrative
21 record and briefing;

22 4. Next Status Conference: The Court set a Further Status Conference in the
23 above-captioned action and all related actions for **October 14, 2025, at 10:00 a.m., in**
24 **Department CX101** of the Orange County Superior Court, Civil Complex Center, located at
25 751 West Santa Ana Boulevard, Santa Ana, California 92701;

26 5. Joint Status Report: The Court ordered the parties to submit one Joint Status
27 Conference Statement ahead of the Further Status Conference, which shall be filed under Case
28 No. 30-2021-01187275-CU-OR-CJC no later than **October 7, 2025**; and

1 6. Notice: The Court ordered Indian Wells Valley Water District to give notice.

2 B. The Court issued the following Minute Orders:

3 1. Attached as Exhibit “2” and incorporated by this reference is a true and correct
4 copy of the Court’s July 15, 2025 Minute Order in the above-captioned action (Case
5 No. 30-2021-01187275-CU-OR-CJC);

6 2. Attached as Exhibit “3” and incorporated by this reference is a true and correct
7 copy of the Court’s July 15, 2025 Minute Order in the related case bearing Case
8 No. 30-2021-01187589-CU-WM-CXC, consolidated with Case No. 30-2021-01188089-CU-
9 WM-CXC; and

10 3. Attached as Exhibit “4” and incorporated by this reference is a true and correct
11 copy of the Court’s July 15, 2025 Minute Order in the related case bearing Case
12 No. 30-2022-01239487-CU-MC-CJC.

13
14 DATED: July 16, 2025

MURPHY & EVERTZ LLP

15
16
17 By: /s/ Emily L. Madueno

18 Douglas J. Evertz
19 Emily L. Madueno
20 Attorneys for Defendant, Cross-Complainant, &
21 Cross-Defendant
22 INDIAN WELLS VALLEY WATER DISTRICT
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EXHIBIT 1

**LAW & MOTION CALENDAR
TENTATIVE RULINGS**

July 15, 2025

10:00 a.m. and 1:30 p.m.

CX-101

JUDGE WILLIAM D. CLASTER

Department CX101 Phone Number: (657) 622-5301

The Court will hear oral argument on all matters at the time noticed for the hearing. If you would prefer to submit the matter on your papers without oral argument, please advise the clerk by calling (657) 622-5301. The Court will not entertain a request for continuance nor filing of further documents once the ruling has been posted.

APPEARANCES: Appearances, whether remote or in person, must be in compliance with new Code of Civil Procedure §367.75, California Rules of Court, Rule 3.672, and Superior Court of California, County of Orange, Appearance Procedure and Information, Civil Unlimited and Complex, located at https://www.occourts.org/media-relations/covid/Civil_Unlimited_and_Complex_Appearance_Procedure_and_Information.pdf.

COURT REPORTERS: Official court reporters (i.e. court reporters employed by the Court) are **NOT** provided for any matters in this department. If a party desires a record of a law and motion proceeding, it will be the party's responsibility to provide a court reporter. Parties must comply with the Court's policy on the use of privately retained court reporters which can be found at:

- [Civil Court Reporter Pooling](#); and
- For additional information, please see the court's website at [Court Reporter Interpreter Services](#) for additional information regarding the availability of court reporters.
- [Civil Limited, Unlimited and Complex \(Updated June 11, 2020\)](#)

#	CASE NAME	MATTER
10:00 a.m.		
1	21-01187275 Mojave Pistachios vs. Indian Wells	United States' Motion to Seal The United States' motion to seal exhibits 117-119, 239, 279, 438, and 442 is GRANTED. A court may order a record to be filed under seal only if it expressly finds facts establishing: <ol style="list-style-type: none">1. There exists an overriding interest that overcomes the right of public access to the record;2. The overriding interest supports sealing the record;3. A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;4. The proposed sealing is narrowly tailored; and5. No less restrictive means exist to achieve the overriding interest. (Cal. Rules of Court, rule 2.550(d).) The United States' motion is supported by the declaration of Ephraim Washburn, Deputy Director for Energetics at the Naval Air Warfare Center Weapons Division at Naval Air Weapons System China Lake. (ROA 1753.) He declares that the information set forth in the aforementioned exhibits is Department of Defense critical infrastructure security ("DCRIT") information, as defined in 10 U.S.C. § 130e. DCRIT information is "sensitive but unclassified information that, if disclosed, would reveal vulnerabilities in Department of Defense critical infrastructure that, if exploited, would

		<p>likely result in the significant disruption, destruction, or damage of or to Department of Defense operations, property, or facilities.” (10 U.S.C. § 130e(e).)</p> <p>Washburn testifies that the aforementioned exhibits contain information relating to the water distribution system at China Lake, such as water sources, the distribution process, and water facility locations. If that information were publicly disclosed, it could allow the United States’ enemies to disrupt operations at China Lake. (Washburn Decl. ¶ 4.)</p> <p>Based on this testimony, the Court finds all five sealing factors are satisfied.</p>
1:30 p.m.		
2	<p>14-00724866</p> <p>Chen vs. Morgan Stanley</p>	

EXHIBIT 2

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

MINUTE ORDER

DATE: 07/15/2025

TIME: 10:00:00 AM

DEPT: CX101

JUDICIAL OFFICER PRESIDING: William Claster

CLERK: G. Hernandez

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: . None, None

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: 74488587

EVENT TYPE: Status Conference

EVENT ID/DOCUMENT ID: 74594980

EVENT TYPE: Motion - Other

MOVING PARTY: United States of America

CAUSAL DOCUMENT/DATE FILED: Motion to Seal, 06/23/2025

APPEARANCES

*Appearances and list of related matters set forth below.

Hearing held with participants appearing remotely and in person.

United States' Motion to Seal

Tentative Ruling posted on the Internet.

All parties submit on the Court's tentative ruling.

The Court confirms the tentative ruling as follows:

The United States' motion to seal exhibits 117-119, 239, 279, 438, and 442 is GRANTED.

A court may order a record to be filed under seal only if it expressly finds facts establishing:

1. There exists an overriding interest that overcomes the right of public access to the record;
2. The overriding interest supports sealing the record;
3. A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
4. The proposed sealing is narrowly tailored; and
5. No less restrictive means exist to achieve the overriding interest.

(Cal. Rules of Court, rule 2.550(d).)

DATE: 07/15/2025

MINUTE ORDER

DEPT: CX101

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Calendar No.

The United States' motion is supported by the declaration of Ephraim Washburn, Deputy Director for Energetics at the Naval Air Warfare Center Weapons Division at Naval Air Weapons System China Lake. (ROA 1753.) He declares that the information set forth in the aforementioned exhibits is Department of Defense critical infrastructure security ("DCRIT") information, as defined in 10 U.S.C. § 130e. DCRIT information is "sensitive but unclassified information that, if disclosed, would reveal vulnerabilities in Department of Defense critical infrastructure that, if exploited, would likely result in the significant disruption, destruction, or damage of or to Department of Defense operations, property, or facilities." (10 U.S.C. § 130e(e).)

Washburn testifies that the aforementioned exhibits contain information relating to the water distribution system at China Lake, such as water sources, the distribution process, and water facility locations. If that information were publicly disclosed, it could allow the United States' enemies to disrupt operations at China Lake. (Washburn Decl. ¶ 4.)

Based on this testimony, the Court finds all five sealing factors are satisfied.

Status Conference

Status Conference held and completed.

A Further Status Conference is scheduled for 10/14/2025 at 10:00 AM in Department CX101.

A joint status conference statement is to be filed on or before 10/07/2025.

Court orders counsel for Indian Wells Valley Water District to give notice.

Related Matters: *Mojave Pistachios, LLC vs. Indian Wells Valley Groundwater District, 30-2021-01187275; Mojave Pistachios, LLC vs. Indian Wells Valley Groundwater Authority, 30-2022-01249146; Indian Wells Valley Groundwater Authority vs. Mojave Pistachios, LLC, 30-2022-01239479; Indian Wells Valley Groundwater Authority vs. Searles Valley Minerals, Inc., 30-2022-01239487; Mojave Pistachios, LLC vs. Indian Wells Valley Groundwater Authority, 30-2021-01187589* consolidated with *Searles Valley Minerals, Inc. vs. Indian Wells, 30-2021-01188089*

In Person Appearances:

Jeffrey V. Dunn of Best Best & Krieger appearing for Searles Valley Minerals, Inc.

Douglas Evertz of Murphy & Evertz appearing for Indian Wells Valley Water District

Kyle Brochard of Richards, Watson & Gershon appearing for Indian Wells Valley Groundwater Authority

Remote Appearances:

Sean Hood of Fennemore appearing for Meadowbrook

Robert Kuhs of LeBeau Thelen appearing for Granite Construction

Noah Golden of California Attorney General's Office appearing for California Department of Fish and Wildlife

Nick Karno of Los Angeles City Attorney's Office for LADWP

Michael Linden of Aleshire & Wynder for City of Ridgecrest

James Worth of McMurtrey Hartsock for Indian Wells Valley Water District

Emily Madueno of Murphy & Evertz for Indian Wells Valley Water District

David Gehlert and Alexa Penalosa of US Department of Justice for United States

Amy Meredith Steinfeld of Brownstein Hyatt for Mojave Pistachios

James Markman of Richards Watson Gershon for Indian Wells Valley Groundwater Authority

EXHIBIT 3

Nick Karno of Los Angeles City Attorney's Office for LADWP
Michael Linden of Aleshire & Wynder for City of Ridgecrest
James Worth of McMurtrey Hartsock for Indian Wells Valley Water District
Emily Madueno of Murphy & Evertz for Indian Wells Valley Water District
David Gehlert and Alexa Penalosa of US Department of Justice for United States
Amy Meredith Steinfeld of Brownstein Hyatt for Mojave Pistachios
James Markman of Richards Watson Gershon for Indian Wells Valley Groundwater Authority

EXHIBIT 4

Michael Linden of Aleshire & Wynder for City of Ridgecrest
James Worth of McMurtrey Hartsock for Indian Wells Valley Water District
Emily Madueno of Murphy & Evertz for Indian Wells Valley Water District
David Gehlert and Alexa Penalosa of US Department of Justice for United States
Amy Meredith Steinfeld of Brownstein Hyatt for Mojave Pistachios
James Markman of Richards Watson Gershon for Indian Wells Valley Groundwater Authority

1 **PROOF OF SERVICE**

2 *Mojave Pistachios, LLC; et al. v. Indian Wells Valley Water District; et al.*

3 Orange County Superior Court – Civil Complex Center

4 The Honorable William Claster, Dept. CX101

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

6 Related to: Case No. 30-2021-01187589-CU-WM-CXC; Case No. 30-2021-01188089-
7 CU-WM-CXC; Case No. 30-2022-01239479-CU-MC-CJC; Case No. 30-2022-01239487-CU-
8 MC-CJC; & Case No. 30-2022-01249146-CU-MC-CJC

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

12 On July 16, 2025, I served true copies of the following document(s) described as
13 **NOTICE OF RULING FROM THE 7/15/2025 HEARING AND STATUS CONFERENCE**
14 on the interested parties in this action as follows:

15 **PLEASE SEE SERVICE LIST**

16 **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons
17 at the addresses listed above and placed the envelope for collection and mailing, following our
18 ordinary business practices. I am readily familiar with Murphy & Evertz LLP’s practice for
19 collecting and processing correspondence for mailing. On the same day that the correspondence
20 is placed for collection and mailing, it is deposited in the ordinary course of business with the
21 United States Postal Service, in a sealed envelope with postage fully prepaid.

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

26 **BY POSTING:** I transmitted the document(s) listed above to the Case Anywhere via electronic
27 transfer through the Internet, consistent with the Court’s December 2, 2022 Order Authorizing
28 Electronic Filing and Service – Case Anywhere LLC.

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

Executed on **July 16, 2025**, at Costa Mesa, California.



Alexandra Constant