

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

17 MOJAVE PISTACHIOS, LLC; et al.,  
18 Plaintiffs,  
19 v.  
20 INDIAN WELLS VALLEY WATER  
21 DISTRICT; et al.,  
22 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

**JOINT STATUS CONFERENCE  
STATEMENT (10/14/2025)**

**RELATED TO ROA 1797**

**Date: October 14, 2025**

**Time: 10:00 a.m.**

**Dept.: CX101**

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.

15 SEARLES VALLEY MINERALS INC.,

16 Cross-Complainant,

17 v.

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

27 Cross-Defendants.

28 AND RELATED CASES.

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

1 **JOINT STATUS CONFERENCE STATEMENT**

2 Defendant, Cross-Complainant, and Cross-Defendant Indian Wells Valley Water District  
3 (“District”) has made a good faith effort to solicit input from parties prior to submission of this  
4 Joint Status Conference Statement.<sup>1</sup>  
5

6 **1. PHASE 1 TRIAL RE: FEDERAL RESERVED WATER RIGHT CLAIM**

7 The Phase 1 Trial on the federal reserved water right claim of the United States  
8 commenced on April 28, 2025, and concluded on May 14, 2025. On September 15, 2025, the  
9 Court filed a Statement of Decision for Phase One Trial Involving the United States Navy’s  
10 Federal Reserved Water Right (ROA 1837).  
11

12 **2. PHASE 2 TRIAL RE: SAFE YIELD**

13 A. Phase 2 Trial

14 On January 8, 2025, the Court entered a Case Management Order Re: Phase 2 Trial.  
15 (ROA 1555.) On March 18, 2025, the Court entered a *First Amended* Case Management Order  
16 Re: Phase 2 Trial (“Phase 2 CMO”). (ROA 1637.)  
17  
18  
19  
20

---

21 <sup>1</sup> (1) Defendant, Cross-Defendant, and Cross-Complainant Searles Valley Minerals Inc. (“Searles”); (2) Defendants  
22 and Cross-Defendants Meadowbrook Dairy Real Estate, LLC; Big Horn Fields, LLC; Brown Road Fields, LLC;  
23 Highway 395 Fields, LLC; and the Meadowbrook Mutual Water Company (collectively, “Meadowbrook”);  
24 (3) Cross-Defendant United States of America (“United States”); (4) Cross-Defendants California Department of  
25 Fish and Wildlife, California Department of Parks and Recreation, and California 53rd District Agricultural  
26 Association (collectively, “State”); (5) Cross-Defendant Indian Wells Valley Groundwater Authority (“Authority”);  
27 (6) Cross-Defendant Little Lake Ranch, Inc. (“Little Lake”); (7) Cross-Defendant Granite Construction Company,  
28 erroneously named as Granite Construction Water System (“Granite”); and (8) Cross-Defendant Inyokern  
Community Services District (“ICSD”). District, Searles, Meadowbrook, United States, State, Authority, Little  
Lake, Granite, and ICSD are collectively referred to as “Parties.”

1 The Phase 2 Trial will determine the safe yield of the Indian Wells Valley groundwater  
2 basin. Among other dates, the Phase 2 CMO provides:

- 3 (1) *Phase 2 Trial Date*: June 1, 2026; and  
4 (2) *Pre-Trial Conference Re: Phase 2 Trial*: April 6, 2026.

5  
6 B. Status of Discovery for the Phase 2 Trial

7 Among other dates for discovery for the Phase 2 Trial, the Phase 2 CMO provides:

- 8 (1) *Disclosure of Groundwater Models*: Completed on April 21, 2025, with  
9 the District and the Authority each having disclosed groundwater flow  
10 models that they intend to use to present evidence at the Phase 2 Trial;  
11 (2) *Expert Disclosures*: Completed on July 29, 2025, with the District,  
12 Searles, Meadowbrook, the United States, and the Authority each having  
13 disclosed experts for the Phase 2 Trial;  
14 (3) *Exchange of Expert Reports*: Completed on August 15, 2025, with the  
15 District, Searles, Meadowbrook, the United States, and the Authority each  
16 having exchanged expert reports for the Phase 2 Trial;  
17 (4) *Discovery Opens*: Commenced;  
18 (5) *Responsive Reports*: November 4, 2025; and  
19 (6) *Depositions*: November 14, 2025 to February 10, 2026.

20  
21 C. Mediation

22 Several of the Parties—the District, Searles, Meadowbrook, the United States, the  
23 Authority, the City of Ridgecrest, and the State—have tentatively agreed to attend private  
24 mediation before The Honorable David Thompson (Ret. Justice) at JAMS. These parties are  
25 discussing means by which to include additional parties to the mediation.

1           D.     Federal Government Shutdown

2           Several of the Parties—the District, Searles, Meadowbrook, the United States, the State,  
3 the Authority, the City of Ridgecrest, and the County of Kern—met and conferred regarding how  
4 to address the Phase 2 CMO deadlines in light of the lapse in appropriations as of  
5 October 1, 2025 that resulted in the federal government shutdown. These parties agreed:

6           (1)     The deadline in item (7) of the Phase 2 CMO on page 4, lines 16-18—  
7           “Responsive Reports: The deadline for all parties to electronically  
8           exchange all expert reports done in response to another parties’ expert  
9           report.”—shall be continued from November 4, 2025 to  
10          November 14, 2025.

11          (2)     The period in item (8) of the Phase 2 CMO on page 4, lines 19-21—  
12          “Depositions: The targeted period for all parties to complete depositions  
13          of all disclosed experts and non-expert witnesses for the Phase 2 Trial.”—  
14          shall be continued from a start date of November 14, 2025 to  
15          November 24, 2025.

16          (3)     The District propounded written discovery on the United States. The  
17          District has agreed to work with the United States on this deadline.

18          (4)     If the government shutdown ends before the October 14, 2025, Status  
19          Conference, the Parties will meet and confer on whether to propose that  
20          the Court extend additional deadlines in the Phase 2 CMO commensurate  
21          with the duration of the government shutdown.

22          (5)     If the government shutdown has not ended before the October 14, 2025,  
23          Status Conference, the United States may seek ex parte relief at the Status  
24          Conference to address the impacts of the government shutdown.

1 **3. STATUS OF RELATED CASES**<sup>2</sup>

2 A. *Searles Valley Minerals Inc. v. Indian Wells Valley Groundwater Authority, et al.*,  
3 OCSC Case No. 30-2021-01188089-CU-WM-CXC (“Searles Action”):<sup>3</sup>

4 On September 29, 2020, Searles filed a Petition for Writ of Mandate; Complaint for  
5 Declaratory and Injunctive Relief; and Takings Claims under the California Constitution against  
6 Authority and Authority’s Board of Directors. On or about August 25, 2021, Searles filed a First  
7 Amended Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief; and  
8 Takings Claim under the California Constitution. Through its petition, Searles challenges the  
9 validity of Authority’s GSP and various related actions by Authority to implement Authority’s  
10 GSP.

11 Authority filed an Answer to Searles’ First Amended Petition and Complaint on  
12 April 24, 2023. The District filed an Answer to Searles’ First Amended Petition and Complaint  
13 on January 5, 2023, and the District intends to participate at trial. On September 18, 2025, the  
14 District filed a Motion for Order Confirming “Interested Party” Status, or, in the Alternative,  
15 Granting Leave to Amend Answer. The District’s motion is set for hearing on  
16 November 21, 2025 at 9:00 a.m.

17 Searles, Authority, and the District are working on preparation of the administrative  
18 record. The Authority has exchanged a draft of the administrative record and the parties are  
19 actively discussing how to address the need for transcripts from meetings that occurred during  
20 the relevant period.

21  
22  
23 <sup>2</sup> This Statement does not address the case currently pending in Kern County captioned *Indian Wells Valley*  
24 *Groundwater Authority v. Inyo Kern Community Services District*, Kern County Superior Court Case No. BCV-22-  
25 100281. That case is not pending before this Court.

26 <sup>3</sup> *Mojave Pistachios, LLC, et al. v. Indian Wells Valley Groundwater Authority, et al.*, OCSC Case No. 30-2021-  
27 01187589-CU-WM-CXC (“Mojave Pistachios Action”) has been dismissed. The Mojave Pistachios Action and the  
28 Searles Action were consolidated. All other cases listed herein are related and pending before this Court, including  
the comprehensive adjudication but not including the PRA Action.

1 At the July 15, 2025 Status Conference, the Court set a hearing on the first cause of  
2 action—Petition for Writ of Mandate—in Searles’ First Amended Petition for Writ of Mandate  
3 for February 4, 2026 at 9:00 a.m. On September 2, 2025, the Court entered an order on  
4 stipulation of the parties staying the remaining causes of action pending resolution of the first  
5 cause of action.

6 Searles and Authority are engaged in ongoing settlement discussions.  
7

8 B. *Indian Wells Valley Groundwater Authority v. Searles Valley Minerals Inc.*,  
9 OCSC Case No. 30-2022-01239487-CU-MC-CJC (“Authority Action Against  
10 Searles”):

11 On January 5, 2022, Authority filed a Complaint for Preliminary and Permanent  
12 Injunction; Recovery of Delinquent Groundwater Fees; and Civil Penalties against Searles.  
13 Through its complaint, Authority seeks to enjoin Searles from operating groundwater wells  
14 without payment of Basin Replenishment Fees, delinquent groundwater extraction charges, and  
15 civil penalties.

16 Searles filed an Answer on April 19, 2022.

17 On June 2, 2023, the Court ordered that Authority shall not schedule a hearing on its  
18 intended motion for preliminary injunction prior to October 1, 2023, and that any opposition to  
19 such motion shall not be due until after the Court of Appeal issued a decision on the petition for  
20 writ in the Mojave Pistachios Action (which action has since been dismissed). No motion for  
21 preliminary injunction has yet been filed.

22 Searles and Authority are engaged in ongoing settlement discussions.  
23

24 C. *Searles Valley Minerals, Inc. v. Indian Wells Valley Groundwater Authority*,  
25 OCSC Case No. 30-2025-01457804-CU-WM-CJC (“PRA Action”):

26 On January 31, 2025, Searles filed a Petition for Writ of Mandate Directing the  
27 Disclosure of Public Records under California’s Public Records Act and Complaint for  
28 Declaratory Relief. Through its petition, Searles seeks to enforce the Authority to comply with

1 the California Public Records Act (Gov. Code, § 6250 *et seq.*) and produce documents requested  
2 by Searles in two separate requests made pursuant to the Public Records Act. That case is  
3 pending in Department C31. A case management conference was scheduled for  
4 September 4, 2025, but was continued to December 11, 2025.

5 Searles and Authority are engaged in ongoing settlement discussions.

6  
7 DATED: October 7, 2025

MURPHY & EVERTZ LLP

8  
9  
10 By:           /s/ Douglas J. Evertz          

11 Douglas J. Evertz  
12 Emily L. Madueno  
13 Attorneys for Defendant, Cross-Complainant, &  
14 Cross-Defendant  
15 INDIAN WELLS VALLEY WATER DISTRICT

16  
17 DATED: October 7, 2025

BEST BEST & KRIEGER LLP

18 By:           /s/ Alison Toivola          

19 Eric L. Garner  
20 Jeffrey V. Dunn  
21 Wendy Wang  
22 Alison Toivola  
23 Attorneys for Defendant, Cross-Defendant, &  
24 Cross-Complainant  
25 SEARLES VALLEY MINERALS INC.

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

DATED: October 7, 2025

FENNEMORE LLP

By: /s/ Derek R. Hoffman

Derek R. Hoffman  
Sean Hood  
Darien Key  
Attorneys for Defendants & Cross-Defendants  
MEADOWBROOK DAIRY REAL ESTATE, LLC;  
BIG HORN FIELDS, LLC;  
BROWN ROAD FIELDS, LLC;  
HIGHWAY 395 FIELDS, LLC;  
THE MEADOWBROOK MUTUAL WATER  
COMPANY

DATED: October 7, 2025

U.S. DEPARTMENT OF JUSTICE

By: /s/ Judith E. Coleman

David W. Gehlert  
Judith E. Coleman  
Alexa Penalosa  
Attorneys for Cross-Defendant  
THE UNITED STATES OF AMERICA

DATED: October 7, 2025

ARNOLD LaROCHELLE MATHEWS VANCONAS &  
ZIRBEL LLP

By: /s/ Gary D. Arnold

Gary D. Arnold  
Attorneys for Cross-Defendant  
LITTLE LAKE RANCH, INC.

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

DATED: October 7, 2025

OFFICE OF THE ATTORNEY GENERAL

By:           /s/ Irene Whitcombe          

Noah Golden-Krasner  
Irene Whitcombe  
Attorneys for Cross-Defendants  
CALIFORNIA DEPARTMENT OF FISH AND  
WILDLIFE;  
CALIFORNIA DEPARTMENT OF PARKS AND  
RECREATION;  
CALIFORNIA 53rd DISTRICT AGRICULTURAL  
ASSOCIATION

DATED: October 7, 2025

RICHARDS, WATSON & GERSHON

By:           /s/ Kyle H. Brochard          

James L. Markman  
Kyle H. Brochard  
Jacob C. Metz  
Attorneys for Cross-Defendant  
INDIAN WELLS VALLEY GROUNDWATER  
AUTHORITY

DATED: October 7, 2025

NAVE LAW OFFICE

By:           /s/ Scott C. Nave          

Scott C. Nave  
Attorneys for Cross-Defendant  
INYOKERN COMMUNITY SERVICES DISTRICT

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

DATED: October 7, 2025

LeBEAU THELEN, LLP

By:           /s/ Robert G. Kuhs            
Robert G. Kuhs  
Attorneys for Cross-Defendant  
GRANITE CONSTRUCTION COMPANY,  
erroneously named as Granite Construction Water  
System

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 October 7, 2025, I served true copies of the following document(s) described as  
13 **JOINT STATUS CONFERENCE STATEMENT (10/14/2025)** on the interested parties in this  
14 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 **October 7, 2025**, at Costa Mesa, California.



Alexandra Constant