

THE MOJAVE ADJUDICATION

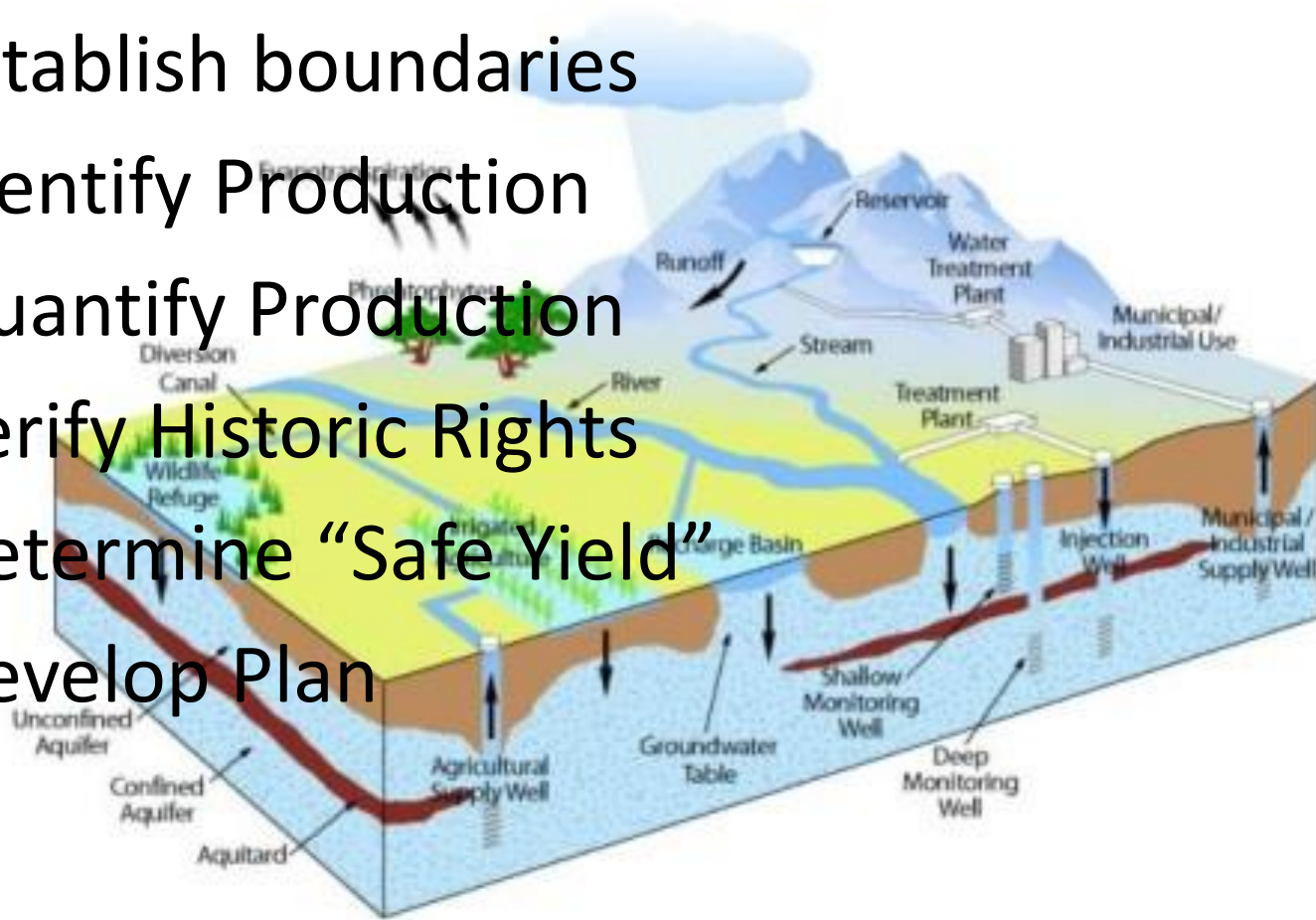
The most successful groundwater basin adjudication in Southern California?



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Adjudicate an Over-Drafted Basin

- Establish boundaries
- Identify Production
- Quantify Production
- Verify Historic Rights
- Determine “Safe Yield”
- Develop Plan



The Mojave Basin



The First Mojave Adjudication

- 1950's Mojave Basin went into "overdraft"
- Mid-1960s, first adjudication began
- Favored historic water rights holders
- Burdening new producers
- Self-interest centric
- Political
- Lack of importation, storage and distribution facilities
- Ended in failure!

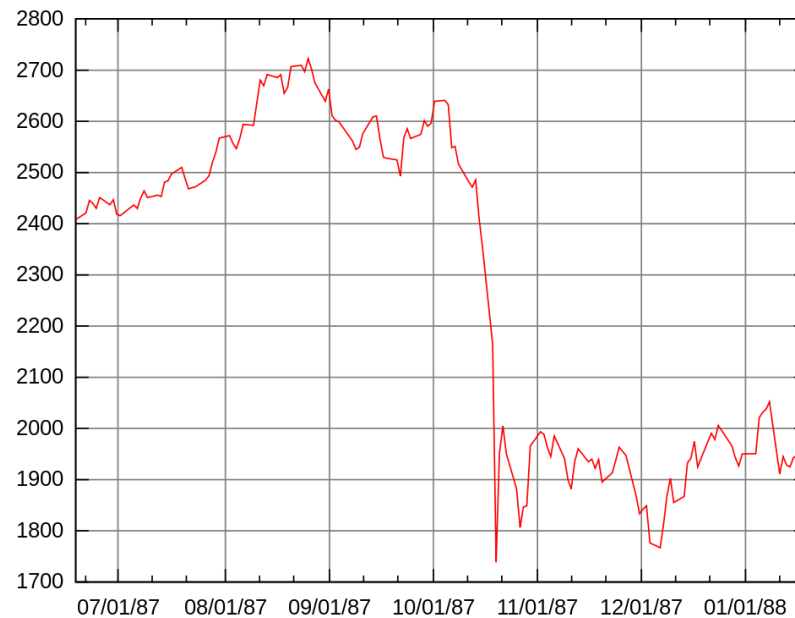
The Mojave Basin in the Early 1980s

- Four population centers
 - Apple Valley (14,300)
 - Barstow (17,700)
 - Hesperia (13,500)
 - Victorville (14,200)
- Primary Employers
 - Mining
 - George AFB
 - ConTel
 - In the Los Angeles Basin

“Black Monday” October 1987

- Dow lost $\frac{1}{4}$ of its value
- Loss of mining and construction jobs
- Impact on the Mojave Basin was devastating

Dow Jones (1987-06-19 through 1988-01-19)



George Air Force Base closed in 1992
Loss of thousands of jobs and
designated EPA Superfund site –
Now SCLA is largest employer in VV



CONTEL

- 3rd largest independent phone company in the U.S. in 1990.
- Acquired by GTE in 1991 for its advanced cellular and satellite system
- Headquarters relocated to Thousand Oaks

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Need for Recovery



The Second Mojave Adjudication

- May 30, 1990 – City of Barstow sues the City of Adelanto (and other major producers)
- Began as a typically contentious litigation
- Mid 1991 – MWA filed Second Mojave Adjudication
- Involved all agricultural, industrial, municipal and large residential users in the Mojave Basin Area.
- Primary objectives
 - Don't further harm the severely damaged economy
 - Develop a workable physical solution

Promoted **Common-Interests over** Self-Interests

Fostered Cooperation



Maximized Public Participation

- During Development of Physical Solution and Judgment
 - Principals' Working Committees
 - Attorneys,' Engineers and Principals' Drafting Committee
- During Implementation of Physical Solution
 - Sub-Area Advisory Committees
 - Technical Advisory Committee



Gave the Parties and the Watermaster the Tools for Success

- Ability to Transfer Production Rights
 - Permanently
 - Temporarily
- Ability to Store Production Rights
- Ability to Carry Over unproduced entitlement
- Ability to Import Water

Fair and Workable Fee Structure

- Replacement Fee
- Makeup Fee
- Administrative Fee
- Public Trust Fee



The Stipulated Judgment

- Upheld on Appeals
- Objectors not bound by Judgment, but lost
 - Transfers
 - Carryovers
 - Storage
- Successfully manages Mojave Basin Area

Considered the Most Successful Adjudication by Many

- Efficiently administered for decades
- Basin in “recovery”
- Fosters economic stability
- Permits regional growth

