

July 26, 2021

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VIA E-MAIL

Karla A. Nemeth, Director
California Department of Water Resources
P.O. Box 942836, Room 1115-1
Sacramento, CA 94236-0001
Lea J. Garrison, Administrative Assistant: lea.garrison@water.ca.gov

RE: Mojave's Response to July 16, 2021 Letter re Indian Wells Valley Basin Groundwater Management

Dear Ms. Nemeth:

On behalf of Mojave Pistachios, LLC and the Nugent Family Trust (collectively, "Mojave") we deeply appreciate the Department of Water Resources' ("DWR") outreach and generous offer to assist in a collaborative process to bring together Indian Wells Valley stakeholders. By way of this letter, Mojave formally accepts DWR's offer to participate in a facilitation process. Given DWR's regulatory oversight over Groundwater Sustainability Plans ("GSPs"), technical expertise, and broad statewide perspective, your participation will be extremely valuable. We will make ourselves and our team available at the earliest opportunity to commence the process.

Mojave strongly agrees with DWR that it is beneficial to focus our efforts on developing a collaborative solution to the issues that are currently being litigated and which may soon lead to additional litigation with the Indian Wells Valley Groundwater Authority ("GA"). Given the size of the Indian Wells Valley Groundwater Basin ("Basin") and amount of water in storage, we do not believe that an expensive and time-consuming comprehensive adjudication is necessary or will achieve the goals of the Sustainable Groundwater Management Act ("SGMA"). Instead, Mojave offers alternative solutions to support sustainable basin management. The Basin is vast. Its freshwater resources are comparatively massive and the reasonable and feasible short-term management measures can be properly funded in the interim.

Mojave can bring to the table technical information and basin management concepts it has developed over the past several years with the assistance of hydrologist, Mr. Anthony Brown. Mr. Brown has worked with the local water users to develop sound and reliable science. We are looking forward to sharing our views on managing groundwater withdrawals from the Basin in a manner that avoids undesirable results. Moreover, we look forward to exploring how we might avoid and mitigate localized impacts to enable the optimization of beneficial uses.

Reasonable, feasible and implementable long-term management and augmentation strategies, like the brackish groundwater program – as opposed to importing foreign water from an already overburdened State Water Project and building a billion-dollar pipeline – provide a better answer to investing in phantom imported water. Brackish water is local and within the reach of local interests. Mojave believes that integrating augmentation and mitigation will result in an affordable and implementable solution that would meet the dual objectives of optimizing beneficial use of groundwater without causing "undesirable results."

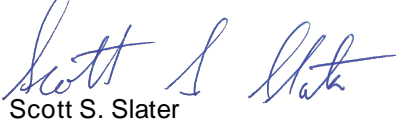
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With DWR's professional participation, we are optimistic that we can work with all stakeholders to refine the Basin's GSP and Implementing Actions, and to craft a fee that is legally compliant, transparent, clearly defined, and that properly spreads the burden of shortage across all water users in the Basin. Time is of the essence, as Mojave has already incurred more than \$370,000 in extraction fees and over \$2 million in replenishment fees from the GA, which threatens Mojave's livelihood and pistachio trees.

We are grateful that DWR has offered to lend time and resources to bring the parties together to address the region's groundwater issues. Please do not hesitate to reach out to me with any questions.

Sincerely,



Scott S. Slater

cc:

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