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COURT GREEN LIGHTS WATER DISTRICT CHALLENGE TO NAVY WATER RIGHTS; REJECTS STORAGE ARGUMENT AND ATTEMPT TO MINE THE BASIN

Ridgecrest, CA – Following a lengthy hearing on March 22, the court presiding over the Indian Wells Valley groundwater adjudication approved a request by the Indian Wells Valley Water District, and its litigation partner Mojave Pistachios, LLC, to set a trial to determine the Navy’s right to produce groundwater from the basin. The court also rejected a request by the District and Mojave to determine the basin storage after a lengthy discussion about the usefulness of such a ruling.

Located in the Mojave Desert, the Basin, which encompasses 382,000 acres, sustains the Navy and more than 35,000 residents. Approximately 302,095 acres of the Basin are managed by the Bureau of Land Management or owned by the Navy for the Air Weapons Station China Lake.

This trial, which could result in a reduction in the Navy’s water supply, will commence on April 28th, 2025 – nearly six years after the case was originally filed. During the hearing, the Water District and its litigation partners stated their intention to request two or more additional phases of trial to be commenced in subsequent years following the trial next year.

The court also rejected a request by Mojave Pistachios, LLC to set a trial to determine how much water it could mine from the Basin. Mojave planted 1,600 acres of trees in 2014 with the knowledge that groundwater levels in the Basin have been steadily declining since 1945 and decades of prolonged overdraft has manifested in the chronic lowering of groundwater levels by approximately 0.5 to 2.5 feet annually.

The Department of Water Resources approved a groundwater sustainability plan that finds that pumping reductions alone cannot achieve sustainability because even at the most austere pumping levels the domestic water needs exceed the local water supply. Accordingly, the Plan relies on imported water to meet these needs.

However, Mojave has continued to pump water without paying the costs for replacement water -- “mining” the basin of its water. As a result, the court set a hearing for June 14th to determine whether Mojave should be ordered to stop this unpermitted pumping.

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The Indian Wells Valley Groundwater Authority is a groundwater sustainability agency created pursuant to the California Sustainable Groundwater Management Act to address declining water levels in the Indian Wells Valley Groundwater Basin. IWVGA is a joint powers authority comprised of the counties of Inyo, Kern and San Bernardino, along with the City of Ridgecrest and the Indian Wells Valley Water District.

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