

# State agencies file court brief favoring IWVGA

By Aaron Crutchfield [acrutchfield@ridgecrestca.com](mailto:acrutchfield@ridgecrestca.com)  
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Two state agencies have filed an amicus letter in the ongoing litigation between the Indian Wells Valley Water District and the Indian Wells Valley Groundwater Authority, stating that the appellate court should review and rule on the case, and do so in favor of the IWVGA and the Groundwater Sustainability Plan rather than a court adjudication of water rights.

The California Department of Water Resources and the State Water Resources Control Board submitted the letter via the California Department of Justice on Oct. 17, stating that the state agencies are concerned that two parallel undefined and competing processes to determine how much water can be pumped could frustrate the purposes of the Sustainable Groundwater Management Act.

The agencies also said if the appellate court wants further briefing, they will file a brief on the merits in support of the IWVGA.

Phil Hall, legal counsel for IWVGA, said he hopes the amicus letter makes the IWVWD rethink its legal strategy.

“It should be the end of it,” he said. “The Water District should see that the state of California, through both the Department of Water Resources and the State Water Control Board, believes that [their] strategy of overturning a GSP, forgetting the fact the Water District voted for that GSP, is not what SGMA and the legislation provides for.”

He also said he doesn’t think the state could have been any stronger in its support.

“Setting aside the fact that the Water District has all the counties, the city, the Navy, arguably all the federal government, and the state on one side, and they’re on the other side of the table, that should shake them up,” he said. “And now you have the amicus letter, which goes at the heart of what the Water District has argued and said it’s wrong.”

A representative of the IWWWD declined comment due to ongoing litigation.

But the Ridgecrest Area Association of Realtors issued a statement to the Daily Independent via RAAR President Sara Rizzardini.

“On behalf of the Ridgecrest Area Association of Realtors, we express deep concern over the Groundwater Authority’s recent actions to challenge the trial court from determining the safe yield number. While they celebrate the state’s support, it’s clear that their efforts aim to undermine science and stall critical decisions that affect our water resources.

“As Realtors committed to the future of this community, we believe in transparent, science-based solutions that provide certainty for homeowners, businesses, and residents. These legal maneuvers only create more uncertainty for the people who rely on a sustainable water supply.”

In addition to the case here, the state agencies said in the letter that there are also cases in adjudications for the Cuyama Basin, Oxnard and Pleasant Valley, and the Ventura River, with all three in the early stages of what’s likely to be years of litigation. A ruling here would set precedent that could be followed in those cases.