

After discussing this issue during the Court's Status Conference on August 2, 2012, the Court and Counsel agreed that holders of these water rights do not fit within any category of water rights holders who must be served in accordance with the terms of the *Case Management Order* (Apr. 18, 2000; Doc. B-#108). Although holders of overlying, unexercised groundwater rights in California may need to be joined at a later time, there is no need to join them at this time.

IT IS SO ORDERED this ___ day of _____, 2012.

Hon. William G. Cobb
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of August, 2012, I electronically filed the foregoing **REVISED PROPOSED ORDER ADDRESSING WHETHER CLAIMANTS WITH OVERLYING, UNEXERCISED GROUNDWATER RIGHTS IN THE STATE OF CALIFORNIA ARE SUBJECT TO COMPULSORY JOINDER IN THIS SUBPROCEEDING** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses that are registered for this case;

and I further certify that I served a copy of the forgoing to the following non CM/ECF participants by U.S. Mail, postage prepaid, this 24th day of August, 2012:

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