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CITY OF SAN BUENAVENTURA

Exempt From Filing Fees Pursuant to Cal. Gov't Code § 6103

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

SANTA BARBARA CHANNELKEEPER, a California non-profit corporation,

Petitioner,

v.

STATE WATER RESOURCES CONTROL BOARD, etc., et al.,

Respondents.

CITY OF SAN BUENAVENTURA, etc.,

Cross-Complainant

v.

DUNCAN ABBOTT, an individual, et al.

Cross-Defendants.

Case No. 19STCP01176

Judge: Honorable William F. Highberger

[PROPOSED] ORDER ESTABLISHING WATERSHED AND BASIN BOUNDARIES

Dates: December 9, 2021 and December 13, 2021
Times: 2:30 p.m. and 4:00 p.m.
Dept: 10

Action Filed: Sept. 19, 2014
Trial Date: Feb. 14, 2022

[PROPOSED] ORDER

PLEASE TAKE NOTICE that on December 9, 2021 at 2:30 p.m. and on December 13, 2021 at 4:00 p.m., in Department S10 of the Los Angeles County Superior Court, this Court held Order to Show Cause hearings as to why the Court should not issue an order establishing (1) the boundaries of the Ventura River Watershed (Watershed), as defined by the U.S. Geological Survey (USGS) National Hydrography Dataset and Watershed Boundary Dataset and (2) the boundaries of the Watershed's four groundwater basins, as defined by the California's Department of Water Resources (DWR) in Bulletin 118, in advance of the Phase 1 Trial.

THIS COURT ORDERS as follows:

1. Watershed Boundaries. The boundaries of the Ventura River Watershed (Watershed) are the boundaries defined by the U.S. Geological Survey (USGS) National Hydrography Dataset and Watershed Boundary Dataset as 10-digit Hydrologic Unit Code (HUC) 1807010101 – Ventura River Watershed as of the date of this order. USGS may adjust these boundaries from time to time, and the Court may amend this order in the future to adjust the Watershed boundaries based on new or additional information, as necessary. This order is without prejudice to any party arguing that the Court needs to consider the adjacent Santa Clara River Watershed before making any final determination in Phase 1 Trial.
2. Groundwater Basin Boundaries. There are four DWR-defined groundwater basins and subbasins (basin numbers 4-1, 4-2, 4-3.01, and 4-3.02) located wholly or partially within the Watershed, and their lateral boundaries are defined by DWR's Bulletin 118 as of the date of this order and as more fully set forth below. DWR may adjust these boundaries from time to time through updates to Bulletin 118 or through the process set forth in Code of Civil Procedure section 841. This order is without prejudice to any party arguing that the Court needs to consider the adjacent Santa Clara River Watershed before making any final determination in Phase 1 Trial.

a. The boundaries of basin 4-1 the Upper Ojai Valley Groundwater Basin (Upper Ojai Basin) are the boundaries defined by DWR in Bulletin 118. The Bulletin 118 – Update 2020 basin boundaries description, including a map, for the Upper Ojai Basin is attached hereto as Exhibit 1.

b. The boundaries of basin 4-2, the Ojai Valley Groundwater Basin (Ojai Basin) are the boundaries defined by DWR in Bulletin 118. The Bulletin 118 – Update 2020 basin boundaries description, including a map, for the Ojai Basin is attached hereto as Exhibit 2.

c. The boundaries of basin 4-3.01, the Ventura River Valley – Upper Ventura River Subbasin (Upper Ventura Basin) are the boundaries defined by DWR in Bulletin 118. The Bulletin 118 – Update 2020 basin boundaries description, including a map, for the Upper Ventura Basin is attached hereto as Exhibit 3.

d. The boundaries of basin 4-3.02, the Ventura River Valley – Lower Ventura River Subbasin (Lower Ventura Basin) are the boundaries defined by DWR in Bulletin 118.[1] The Bulletin 118 – Update 2020 basin boundaries description, including a map, for the Lower Ventura Basin is attached hereto as Exhibit 4.

IT IS SO ORDERED.

[1] The Court is only making a determination as to the lateral boundaries of the groundwater basins as defined in Bulletin 118 and is not making any specific determination as to the definition in Bulletin 118 regarding the depth or definable bottom, if any, of the Lower Ventura Basin. The Court is expressly reserving issues raised by Cross-Defendant Aera Energy LLC regarding the connectivity of the Lower Ventura Basin with geologic formations employed for oil and gas-related operations and the "exempt aquifer" below the Lower Ventura Basin as defined by the California Department of Conservation Geologic Energy Management Division and the U.S. Environmental Protection Agency under the federal Safe Drinking Water Act. Such questions shall be reserved for future phases of the trial, if not otherwise addressed by stipulation of the parties.

Dated:

JUDGE OF THE SUPERIOR COURT

EXHIBIT 1

EXHIBIT 1

4-001 UPPER OJAI VALLEY

Basin Boundaries Description

2003

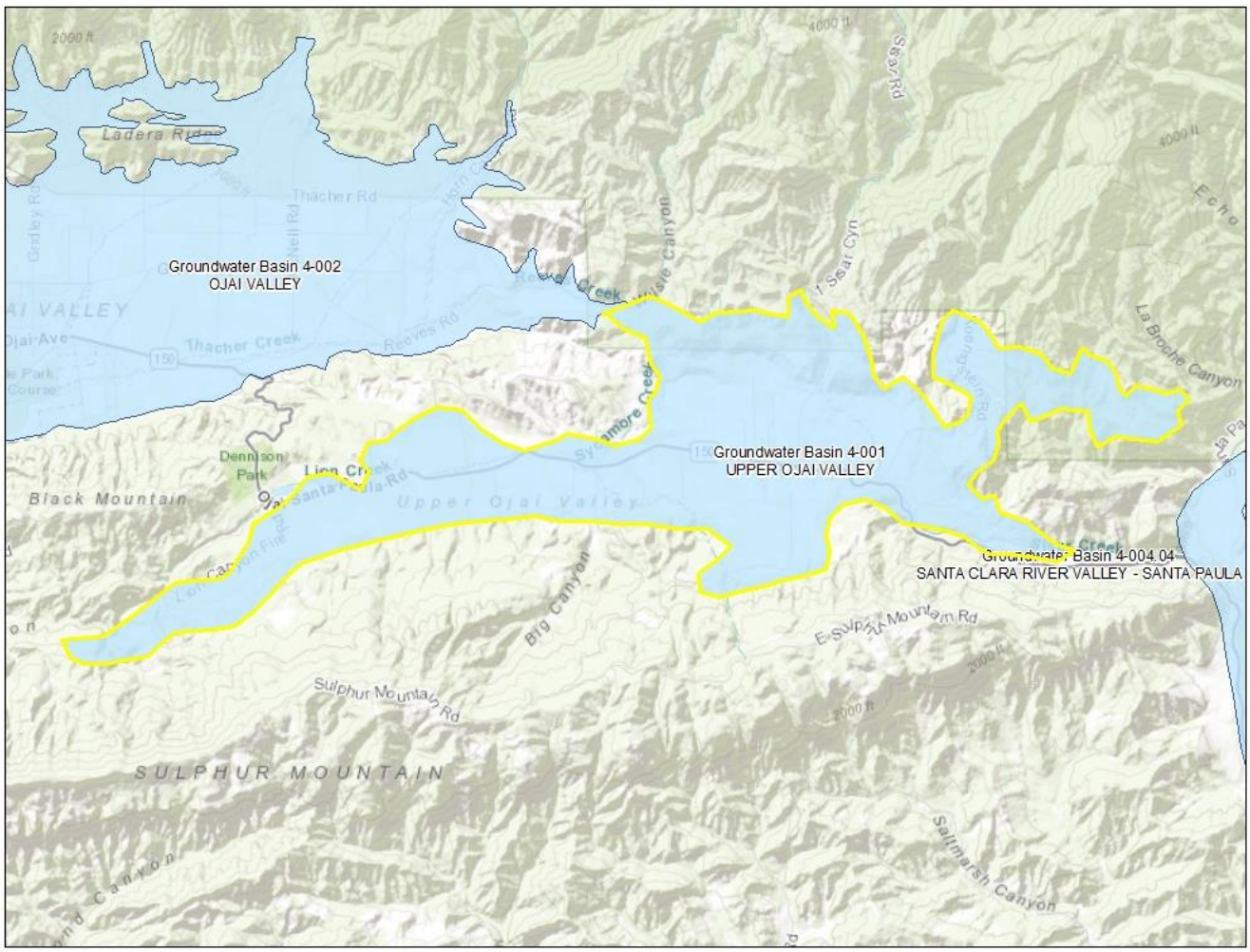
- County: Ventura
- Surface Area: 3,800 acres (5.9 square miles)

Summary

The Upper Ojai Valley Groundwater basin is bounded by the Ojai Valley Groundwater Basin on the north, the Topatopa Mountains on the east, Sulfur Mountain on the south, and near impermeable rocks of the Santa Ynez Mountains elsewhere. The valley is drained westward by Lion Canyon into San Antonio Creek and eastward by Sisar Creek to Santa Paula Creek.

Map

4-001 – OJAI VALLEY



Map Link

References

This table contains the reference listings for the citations noted in the Summary. Each reference contains the name of the reference and the publication date. For more information, email sgmps@water.ca.gov.

Citation	Pub Date

EXHIBIT 2

EXHIBIT 2

4-002 OJAI VALLEY

Basin Boundaries Description

2016

Summary

The Ojai Valley groundwater basin is located in the central-western portion of Ventura County. The basin is bound on the north by consolidated rocks of the Topatopa Mountains. The easternmost portion of the basin is separated from the adjacent Upper Ojai Valley groundwater basin by the San Cayetano fault. The basin is bound on the south by the Santa Ana fault and the consolidated rocks of Black Mountain. A surface water divide and a subsurface bedrock ridge that forms a groundwater divide separates the basin from the adjoining Upper Ventura River subbasin to the west. South of the Santa Ana fault, thin terrace deposits underlain by bedrock and lacking direct subsurface hydraulic connection with the basin are excluded from the basin. These alluvial terrace deposits have little to no significant groundwater storage capacity. The boundary is defined by 13 segments detailed in the descriptions below.

Segment Descriptions

This table describes each line segment composing the basin boundary polygon for this basin. It includes fields describing the segment label, segment type, segment description, and cited reference. For more information, email sgmps@water.ca.gov.

Segment Label	Segment Type	Description	Ref
1-2	- Alluvial	Begins from point (1) and crosses the Quaternary alluvium to point (2).	{a}
2-3	E Alluvial	Continues from point (2) and follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (3).	{b}
3-4	- Alluvial	Continues from point (3) and crosses Quaternary alluvium to point (4).	{a}
4-5	E Alluvial	Continues from point (4) and follows the contact of Quaternary alluvium with Tertiary Cozy Dell Shale to point (5).	{b}
5-6	- Alluvial	Continues from point (6) and follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (7).	{b}
6-7	E Alluvial	Continues from point (5) and crosses Quaternary alluvium to point (6).	{a}
7-8	- Fault	Continues from point (7) and follows the San Cayetano fault to point (8).	{c}
8-9	E Alluvial	Continues from point (8) and follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (9).	{b}
9-10	- Fault	Continues from point (9) and follows the Santa Ana fault to point (10).	{a}

10-11	E Alluvial	Continues from point (10) and follows the contact of Quaternary alluvium with Sespe Formation to point (11).	{d}
11-12	I Groundwater Divide	Continues from point (11) and follows a subsurface bedrock ridge and a surface divide to point (12).	{a}
12-1	E Alluvial	Continues from point (12) and follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks and ends at point (1).	{d}
13-13	E Alluvial	Island within the basin boundary: begins from point (13) and follows the contact of the Quaternary alluvium with Coldwater Sandstone and Cozy Dell Shale and ends at point (13).	{b}

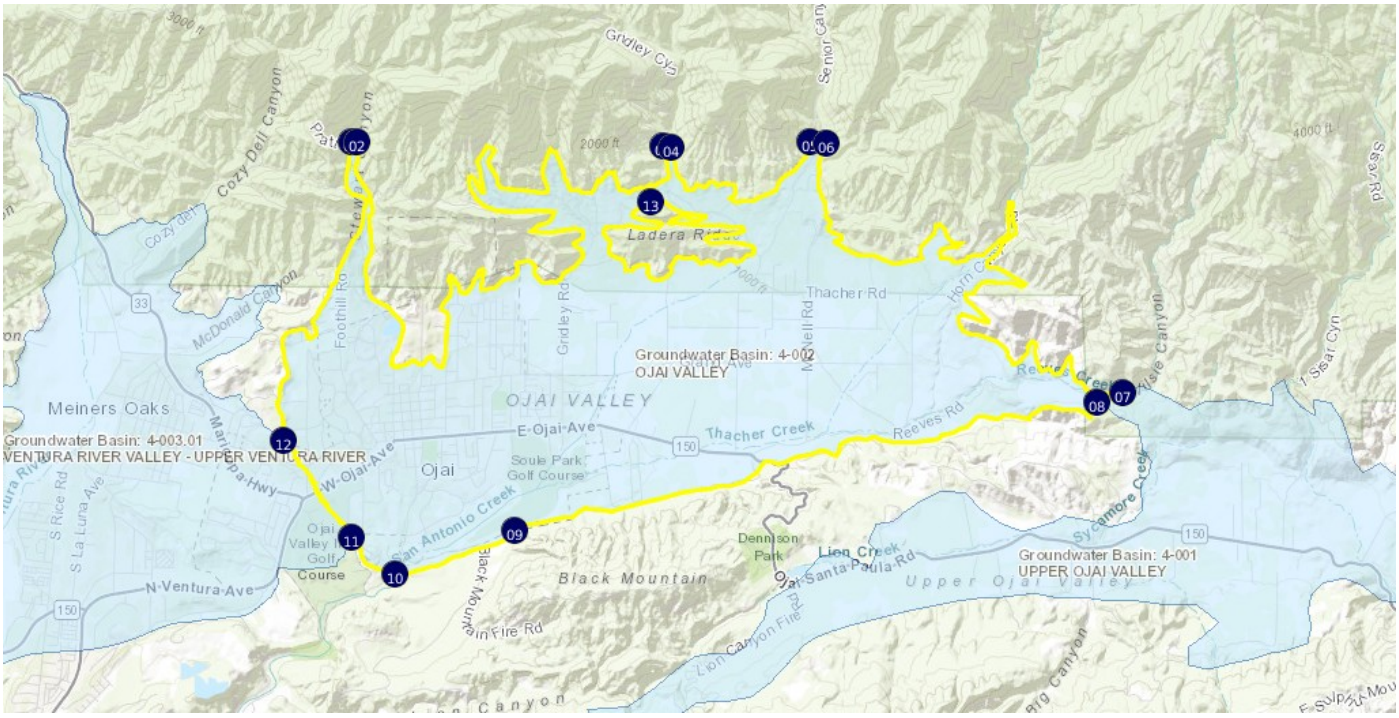
Significant Coordinates

This table contains the latitudes and longitudes of all the beginning and ending points of each segment comprising the basin boundary polygon for this basin. For more information, email sgmps@water.ca.gov.

Point	Latitude	Longitude
1	34.478450793	-119.254761878
2	34.478452261	-119.253960199
3	34.478005123	-119.215409106
4	34.477954846	-119.214341855
5	34.478460727	-119.196917412
6	34.478300258	-119.19480887
7	34.452385212	-119.157425748
8	34.451419976	-119.160576289
9	34.438199307	-119.234069884
10	34.433549061	-119.249251927
11	34.437432018	-119.254670854
12	34.44740611	-119.263274675
13	34.472303032	-119.216908514

Map

4-002 OJAI VALLEY



Map Link

References

This table contains the reference listings for the citations noted in the segment description table. Each reference contains the name of the reference, in addition to the publication date. For more information, email sgmps@water.ca.gov.

Ref	Citation	Pub Date	Global ID
{a}	BBMRS	varies	45
{b}	California Department of Conservation, California Geologic Society (CGS), Geologic Map of the Ojai 7.5' Quadrangle, Ventura County, California: A Digital Database, Version 1.0, 1:24,000, S.S. Tan, P.J. Irvine, C.I. Gutierrez.ftp://ftp.consrv.ca.gov/pub/dmg/rgmp/Prelim_geo_pdf/Ojai_prelim.pdf	2005	78
{c}	California Geological Survey (CGS), Geologic Atlas of California Map No. 008, Los Angeles Sheet, , 1:250,000, Charles W. Jennings and Rudolph G. Strand.URL: http://www.quake.ca.gov/gmaps/GAM/losangeles/losangeles.html	1969	33
{d}	California Geological Survey (CGS), Geologic Map of the Matilija Quadrangle, 1:24,000, S.S. Tan and T.A. Jones.URL: http://www.conservation.ca.gov/cgs/rghm/rgm/Pages/preliminary_geologic_maps.aspx	2006	51

Footnotes

- I: Internal
- E: External

EXHIBIT 3

EXHIBIT 3

4-003.01 VENTURA RIVER VALLEY – UPPER VENTURA RIVER

Basin Boundaries Description

2016

Summary

The Upper Ventura River groundwater subbasin is located in central-western Ventura County. The subbasin is bound on the north by impermeable rocks of the Santa Ynez Mountains. A subsurface bedrock ridge and groundwater divide separates the subbasin from the adjacent Ojai Valley groundwater basin to the east. The subbasin is bound on the southeast and the west by consolidated Tertiary sediments. The subbasin extends south in the Ventura River Valley to where it meets the Lower Ventura River subbasin at a narrow portion of the valley and at the approximate location of the Red Mountain fault. The subbasin boundary is defined by eleven (11) segments detailed in the descriptions below.

Segment Descriptions

This table describes each line segment composing the basin boundary polygon for this basin. It includes fields describing the segment label, segment type, segment description, and cited reference. For more information, email sgmps@water.ca.gov.

Segment Label	Segment Type	Description	Ref
1-2	E Alluvial	Begins at point (1) and generally follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (2).	{a}
2-3	I Groundwater Divide	Continues from point (2) and follows a subsurface bedrock ridge, a groundwater divide, and a surface divide to point (3).	{b}
3-4	E Alluvial	Continues from point (3) and follows the contact of Quaternary alluvium with Sespe Formation to point (4).	{a}
4-5	- Fault	Continues from point (4) and follows an unnamed fault to point (5).	{c}
5-6	E Alluvial	Continues from point (5) and follows the contact of active alluvium and colluvium with lower permeability older alluvium to point (6).	{b}
6-7	- Fault	Continues from point (6) and follows the Santa Ana Fault to point (7).	{a}
7-8	E Alluvial	Continues from point (7) and follows the contact of active alluvium with older alluvium and various Tertiary sedimentary rocks to point (8).	{d}
8-9	I Alluvial	Continues from point (8) and crosses the alluvium of the Ventura River valley at the Casitas Vista bridge to point (9).	{b}

9-10	E Alluvial	Continues from point (9) and generally follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks to point (10).	{d}
10-11	E Alluvial	Continues from point (10) and crosses the older alluvium, excluding an area of thin alluvium and Sespe Formation in the west and including areas of thick alluvium in the east, to point (11).	{b}
11-1	E Alluvial	Continues from point (11) and generally follows the contact of Quaternary alluvium with various Tertiary sedimentary rocks and ends at point (1).	{d}

Significant Coordinates

This table contains the latitudes and longitudes of all the beginning and ending points of each segment comprising the basin boundary polygon for this basin. For more information, email sgmps@water.ca.gov.

Point	Latitude	Longitude
1	34.483285737	-119.296538818
2	34.44740611	-119.263274675
3	34.437432018	-119.254670854
4	34.434436555	-119.256415077
5	34.434229067	-119.263895252
6	34.429193615	-119.26953361
7	34.423808356	-119.299086585
8	34.352634947	-119.30500381
9	34.352287913	-119.310520285
10	34.425195196	-119.311964195
11	34.435726436	-119.308534536

Map

4-003.01 VENTURA RIVER VALLEY - UPPER VENTURA RIVER



Map Link

References

This table contains the reference listings for the citations noted in the segment description table. Each reference contains the name of the reference, in addition to the publication date. For more information, email sgmps@water.ca.gov.

Ref	Citation	Pub Date	Global ID
{a}	California Geological Survey (CGS), Geologic Map of the Matilija Quadrangle, 1:24,000, S.S. Tan and T.A. Jones.URL: http://www.conservation.ca.gov/cgs/rghm/rgm/Pages/preliminary_geologic_maps.aspx	2006	51
{b}	BBMRS	varies	45
{c}	Minor, S.A., and Brandt, T.R., 2015, Geologic map of the southern White Ledge Peak and Matilija quadrangles, Santa Barbara and Ventura Counties, California: U.S. Geological Survey Scientific Investigations Map 3321, 34 p., 1 sheet, 1:24,000, https://dx.doi.org/10.3133/sim3321.	5/26/2015	96
{d}	California Geological Survey (CGS), Geologic Compilation of Quaternary Surficial Deposits in Southern California, T.L. Bedrossian, P. Roffers, C.A. Hayhurst, J.T. Lancaster, and W.R. Short.URL: http://www.conservation.ca.gov/cgs/fwgp/Pages/sr217.aspx	2012	50

Footnotes

- I: Internal
- E: External

EXHIBIT 4

EXHIBIT 4

4-003.02 VENTURA RIVER VALLEY – LOWER VENTURA RIVER

Basin Boundaries Description

2003

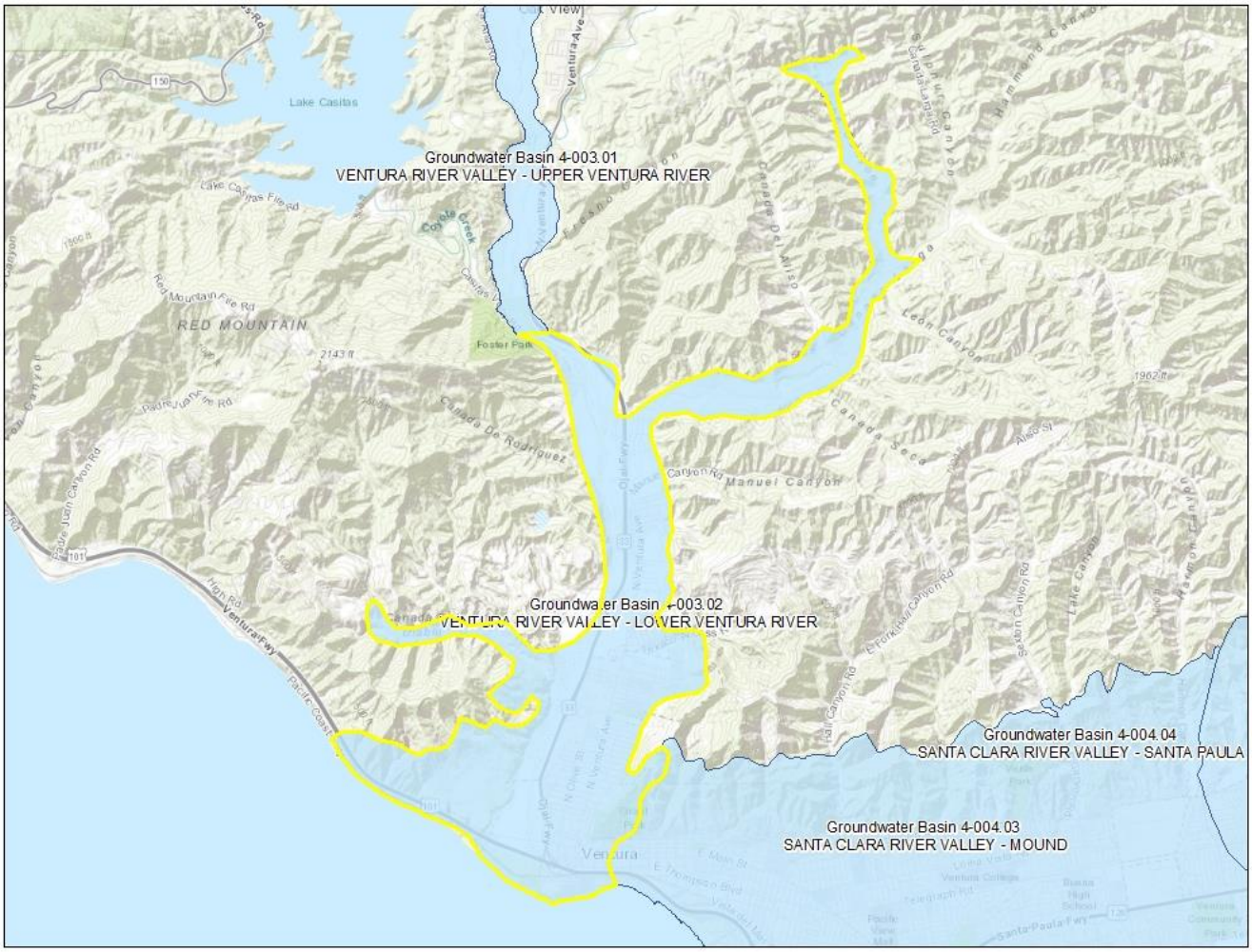
- County: Ventura
- Surface Area: 5,300 acres (8.3 square miles)

Summary

The Lower Ventura River Subbasin is bounded on the north by the Upper Ventura River Subbasin, on the south by the Pacific Ocean and Mound Subbasin of the Santa Clara River Valley Groundwater Basin, and elsewhere by near impervious rocks of the Santa Ynez Mountains (DPW 1933; Panaro 2000). The valley is drained by Canada Larga and the Ventura River.

Map

4-003.02 – VENTURA RIVER VALLEY – LOWER VENTURA RIVER



Map Link

References

This table contains the reference listings for the citations noted in the Summary. Each reference contains the name of the reference and the publication date. For more information, email sgmps@water.ca.gov.

Citation	**Pub Date**
California Department of Public Works, Division of Water Resources (DPW). 1933. *Ventura County Investigation.* Bulletin 46.	1933
Panaro, D. 2000. Fox Canyon Groundwater Management Agency: Written Communication to R.R. Davis (DWR), March 21, 2000.	2000

PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the action herein; my business address is Best Best & Krieger LLP, 2001 N. Main Street, Suite 390, Walnut Creek, CA 94596. On December 21, 2021, I served the following document(s):

[PROPOSED] ORDER ESTABLISHING WATERSHED AND BASIN BOUNDARIES

☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Walnut Creek, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.

☐ I caused such envelope to be delivered via overnight delivery. Such envelope was deposited for delivery by United Parcel Service following the firm's ordinary business practices.

☒ by transmission via **E-Service to File & ServeXpress** to the person(s) set forth below. Local Rules of Court 2.10 (P).

☒ **By e-mail or electronic transmission.** I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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of the Alvarado Family Trust; Sumeet Bhatia and Michael McDonald; Timothy Jerome Murch and Jody Caren Murch, Trustees of the Jodim Family 2007 Trust dated July 31, 2007; Wendell M. Mortensen and Laura L. Mortensen, Trustees of the Mortensen Family Revocable Trust; Petter Romming and Kimi Romming, Trustees; William Armstrong and April Nardini; William Erickson; Rancho Sueño, LLC

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I declare 1under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 21, 2021at Walnut Creek, California

Irene Islas

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