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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF LOS ANGELES

11  
12 **SANTA BARBARA CHANNELKEEPER,**  
13  
Petitioner,  
14  
v.  
15  
16 **STATE WATER RESOURCES CONTROL  
BOARD, a California State Agency; CITY  
17 OF BUENAVENTURA, a California  
municipal corporation,**  
18  
Respondents.

Case No. 19STCP01176

**SWRCB'S RESPONSE TO CITY OF SAN  
BUENAVENTURA'S MOTION FOR  
APPROVAL**

Date: October 2, 2019  
Time: 10 a.m.  
Dept.: 10  
Judge: Honorable W. Highberger  
Trial Date: None Set  
Action Filed: September 19, 2014

19  
20 **CITY OF SAN BUENAVENTURA, a  
California municipal corporation,**  
21  
Cross-Complainant,  
22  
v.  
23  
24 **DUNCAN ABBOTT, an individual; et al.,**  
25  
Cross-Defendants.



1 sought such a finding in its motion. And it has not explicitly stated it is not seeking such a  
2 finding with this motion.

3 Yet the City includes surface water diverters in its notice. These references include: (1) the  
4 words "AND WATERSHED" in the caption and the title; (2) the words "and/or any rights you  
5 claim to divert or store surface water from the Ventura River Watershed" in the first, second, and  
6 third paragraphs (in all capitals in the first paragraph); and (3) the words "and/or surface water  
7 use" in the fourth paragraph. This language is misleading and inappropriate, and should be  
8 deleted.

9 The language for the notice under Code of Civil Procedure section 836 is provided for in  
10 the statute. (Code Civ. Proc., § 836, subd. (a).) That language is limited to groundwater. (*Ibid.*)  
11 The City's notice should be limited to the groundwater adjudication piece of this case.

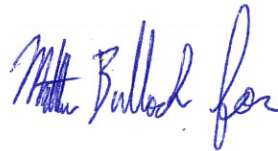
### 12 CONCLUSION

13 For all these reasons, the SWRCB respectfully requests that the Court order that the City's  
14 proposed notice be changed to limit itself to the groundwater adjudication part of this case.

15 Dated: September 17, 2019

Respectfully Submitted,

16 XAVIER BECERRA  
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20 

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