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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, COMPLEX CIVIL DIVISION

SANTA BARBARA CHANNELKEEPER,
A California non-profit corporation,

Petitioner,

v.

STATE WATER RESOURCES
CONTROL BOARD, a California State
Agency; CITY OF SAN
BUENAVENTURA, a California
municipal corporation,

Respondents.

AND RELATED CROSS-ACTION.

Case No. 19STCP01176

Assigned for all purposes to the Hon. William F.
Highberger, Dept. SS10

**RANCHO MATILIJA MUTUAL WATER
COMPANY'S INITIAL DISCLOSURES
(CAL. CODE CIV. PROC., § 842)**

Action Filed: September 19, 2014

Pursuant to California Code of Civil Procedure (“C.C.P.”) section 842, cross-defendant Rancho Matilija Mutual Water Company (“Rancho Matilija”) hereby submits its initial disclosures based on the information reasonably available to it. (C.C.P. § 842, subd. (c).) Rancho Matilija reserves the right to supplement its disclosures in accordance with C.C.P. section 842, subdivision (d) and otherwise.

DISCLOSURES

1. C.C.P. § 842(a)(1): The name, address, telephone number, and email address of the party and, if applicable, the party’s attorney.

Rancho Matilija Mutual Water Company’s corporate address is 2599 East Hueneme Road, Oxnard, California 93033-8112. Rancho Matilija may be contacted through its president, Jurgen Gramckow, at (805) 488-3585 and jurgen@sod.com.

Rancho Matilija is represented by Neal Maguire of Fergusson Case Orr Paterson LLP, 1050 South Kimball Road, Ventura, California 93004; (805) 659-6800 and nmaguire@fcoplaw.com.

2. C.C.P. § 842(a)(2): The quantity of any groundwater extracted from the basin by the party and the method of measurement used by the party or the party’s predecessor in interest for each of the previous 10 years preceding the filing of the complaint.

Year	Total Water Production from the Ventura River Watershed
2009	1,200 AF (estimated)
2010	1,250 AF (estimated)
2011	1,150 AF (estimated)
2012	1,000 AF (estimated)
2013	1,000 AF (estimated)
2014	998 AF (estimated)
2015	256 AF (metered)
2016	485 AF (metered)
2017	475 AF (metered)

2018	289 AF (metered)
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3. C.C.P. § 842(a)(3): The type of water right or rights claimed by the party for the extraction of groundwater.

Rancho Matilija asserts overlying rights to produce and use groundwater, including rights under the self-help doctrine if prescriptive rights are asserted. Rancho Matilija also asserts appropriative rights to produce and use groundwater.

4. C.C.P. § 842(a)(4): A general description of the purpose to which the groundwater has been put.

Rancho Matilija's shareholders utilize the Company's water for agricultural irrigation and for domestic ranch and livestock uses.

5. C.C.P. § 842(a)(5): The location of each well or other source through which water has been extracted.

Rancho Matilija produces water from an infiltration gallery and two wells identified on the attached Exhibit A. The infiltration gallery is closest to the Matilija Dam.

6. C.C.P. § 842(a)(6): The area in which the groundwater has been used.

Rancho Matilija's service area encompasses the following Assessor Parcel Numbers: 011-0-260-055; 011-0-260-065; 011-0-260-075; 011-0-260-085; 011-0-052-280; 011-0-052-300; 011-0-052-310; 011-0-052-230; 011-0-052-240; and 011-0-052-270.

7. C.C.P. § 842(a)(7): Any claims for increased or future use of groundwater.

Rancho Matilija has during periods reduced its production of water, including in particular since 2015, as a result of drought conditions within the Ventura River Watershed. Rancho Matilija's shareholders have implemented water conservation and land fallowing measures during these periods. In recent drought years, Rancho Matilija's shareholders have fallowed

1 approximately half of their irrigable acreage. Rancho Matilija claims the right to a reasonable and
2 beneficial amount of water in the future to irrigate its service area's irrigable acres.

3
4 **8. C.C.P. § 842(a)(8):** The quantity of any beneficial use of any alternative water use
5 that the party claims as its use of groundwater under any applicable law, including, but not limited
6 to, Section 1005.1, 1005.2, or 1005.4 of the Water Code.

7 Rancho Matilija asserts total water production rights in an amount of 2,090 acre-feet per
8 year, including rights pursuant to, among other items, Water Code sections 1005.1, 1005.2, 1005.4,
9 and 1011, as a result of Rancho Matilija's shareholders' voluntary water conservation and land
10 fallowing measures.

11
12 **9. C.C.P. § 842(a)(9):** Identification of all surface water rights and contracts that the
13 party claims provides the basis for its water right claims in the comprehensive adjudication.

14 Rancho Matilija asserts riparian rights to produce and use surface water, including rights
15 under the self-help doctrine if prescriptive rights are asserted. Rancho Matilija also asserts
16 appropriative rights to produce and use surface water.

17
18 **10. C.C.P. § 842(a)(10):** The quantity of any replenishment of water to the basin that
19 augmented the basin's native water supply, resulting from the intentional storage of imported or
20 non-native water in the basin, managed recharge of surface water, or return flows resulting from
21 the use of imported water or non-native water on lands overlying the basin by the party, or the
22 party's representative or agent, during each of the 10 calendar years immediately preceding the
23 filing of the complaint.

24 At this time, Rancho Matilija does not assert rights associated with imported or non-native
25 water from outside the Ventura River Watershed being utilized for replenishment purposes.

26
27 **11. C.C.P. § 842(a)(11):** The names, addresses, telephone numbers, and email
28 addresses of all persons possessing information that supports the party's disclosures.

1 In addition to Jurgen Gramckow, identified in disclosure no. 1 above, Martin Gramckow,
2 an officer and shareholder of Rancho Matilija, may be contacted through Rancho Matilija's
3 corporate address and telephone number and also at martin@sod.com.

4
5 **12. C.C.P. § 842(a)(12):** Any other facts that tend to prove the party's claimed water
6 right.

7 Rancho Matilija produces water from the Ventura River Watershed pursuant to an October
8 22, 1902, judgment in *Rice v. Meiners*. That judgment granted Frances H. Rice, the plaintiff, and
9 Elise Meiners, the defendant, an equal right to produce water on an alternating basis for 48 hours
10 each at a flow rate of 231 miner's inches (or 5.78 cfs), and either could produce surplus if the flow
11 exceeded the amount being used by the other. All of the Rice water rights and related easements
12 and a portion of the Meiners water rights and related easements are now owned by Rancho
13 Matilija.

14 Additionally, in *Ventura Water, Light and Power vs. Meiners and Rice* (March 12, 1904)
15 Meiners and Rice jointly confirmed the previously adjudicated Rice and Meiners water rights as
16 against the Ventura Water, Light and Power Company.

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18 Date: October 25, 2019

FERGUSON CASE ORR PATERSON LLP

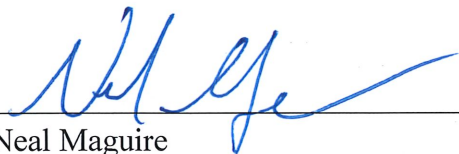
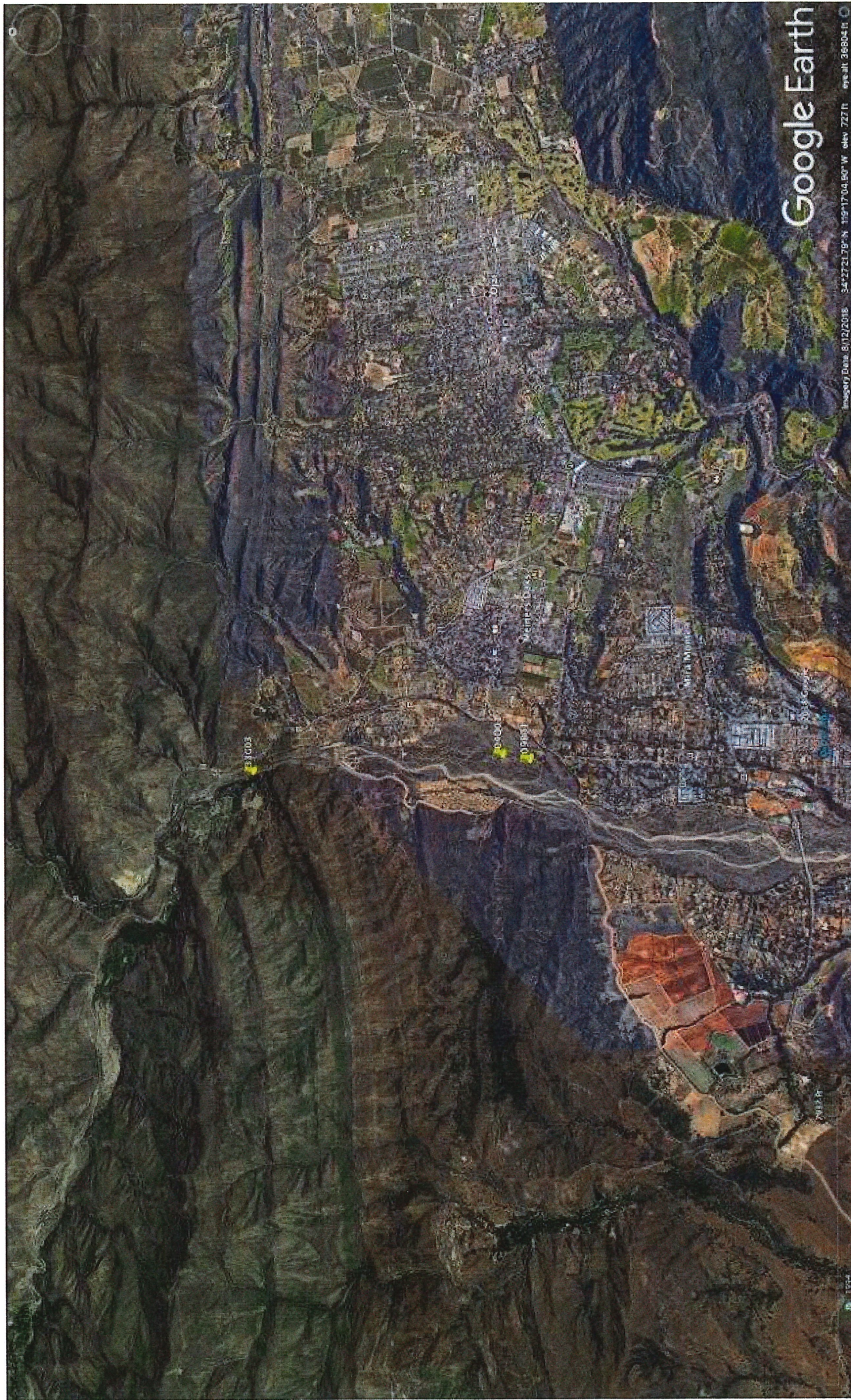
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20 By: 
21 Neal Maguire
22 Attorneys for Cross-Defendant
23 Rancho Matilija Mutual Water Company
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EXHIBIT A



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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF VENTURA:

I am employed in the County of Ventura, State of California. I am over the age of 18 and not a party to the within action. My business address is 1050 South Kimball Road, Ventura, California 93004.

On October 28, 2019, I served ☐ the original ☒ a true copy of the foregoing document described as RANCHO MATILIJIA MUTUAL WATER COMPANY'S INITIAL DISCLOSURES (CAL.CODE CIV. PROC., §842) which is related to the action styled *Santa Barbara Channelkeeper v. State Water Resource etc. et al*, Los Angeles Superior Court, Complex Civil Division, Case No. 19STCP01176, on the person or persons listed on the attached Service List as follows:

SEE ATTACHED SERVICE LIST

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

☐ **BY MAIL:** I enclosed the above-described document in (an) envelope(s) with postage thereon fully pre-paid and addressed as set forth on the attached Service List. I am readily familiar with FERGUSON CASE ORR PATERSON LLP's practice of collection and processing correspondence for mail with the U.S. Postal Service. Pursuant to that practice, I placed the above-described envelope into the Firm's designated receptacle, of which the contents are to be deposited with the U.S. Postal Service on that same day at, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date stated herein.

☐ **BY OVERNIGHT DELIVERY:** I enclosed the above-described document in (an) envelope(s) of a type designated by the express service carrier for overnight delivery with delivery fees fully pre-paid or provided for and addressed as set forth on the attached Service List. I ☐ placed the above-described envelope into a box or other facility regularly maintained by the express service carrier/☐ delivered the above-described envelope to an authorized courier or driver authorized by the express service carrier to receive documents.

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

☒ **BY email or electronic transmission.** I caused the documents to be sent to the personal at the email 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.

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

☐ (Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 28, 2019, at Ventura, California.


Tina Mercado

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