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Judith Mercer

Name of Owner/Cross-Defendant/Attorney

1175 Grand Avenue  
Address Ojai, Ca 93023

(805)646-5510

Phone Number judyLmercer@gmail.com

Email Address

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.

Case No. 19STCP01176

Judge: Honorable William F. Highberger

VERIFIED INITIAL DISCLOSURES

Action Filed: Sept. 19, 2014

Trial Date: Not Set

CITY OF SAN BUENAVENTURA, etc.,

Cross-Complainant

v.

DUNCAN ABBOTT, an individual, et al.

Cross-Defendants.

1                    INITIAL DISCLOSURES – CODE OF CIVIL PROCEDURE SECTION 842(a)

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3            1.        The name, address, telephone number, and email address of the party and, if  
4 applicable, the party's attorney.

- 5            (a)    Name: Judith Mercer  
6            (b)    Address: 1175 Grand Avenue Ojai, Ca 93023  
7            (c)    Phone Number: (805) 646-5510  
8            (d)    Email Address: judyLmercer@gmail.com  
9            (e)    Attorney (if applicable): \_\_\_\_\_

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11           2.        The quantity of any groundwater extracted from the basin by the party and the  
12 method of measurement used by the party or the party's predecessor in interest for each of the  
13 previous 10 years preceding the filing of the complaint.

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15 <b>Year</b>	<b>Amount of Groundwater Extracted:</b>	<b>Method of Extraction:</b>
16    2019	4 acre ft.	Well pumps
17    2018	4 acre ft.	Well pumps
18    2017	4 acre ft.	Well pumps
19    2016	4 acre ft.	Well pumps
20    2015	4 acre ft.	Well pumps
21    2014	4 acre ft.	Well pumps
22    2013	4 acre ft.	Well pumps
23    2012	43.67 acre ft.	Well pumps

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Year	Amount of Groundwater Extracted:	Method of Extraction:
2011	12.44 acre feet	Well pumps
2010	13.09 acre feet	Well pumps

3. The type of water right or rights claimed by the party for the extraction of groundwater.

- Ownership of land and wells.
- Historic and continued compliance w/ state water resources control board, division of water rights.
- Historic and continued compliance w/ OBGMA.

4. A general description of the purpose to which the groundwater has been put.

- These wells have irrigated citrus since 1934 and continue to do so.
- Currently these wells are supporting 2 year old lemon trees, and all 3300 trees depend on the wells.

5. The location of each well or other source through which groundwater has been extracted.

- Wells #04NZZW06Δ03S and #04NZZW06E01S are located on APN 028-0-050-030.
- Additionally, APN 028-0-050-030 owns a 25% interest in well #04NZZW06E03S located at APN 028-0-050-060.

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6. The area in which the groundwater has been used.

The groundwater is used on APN 028-0-050-030

7. Any claims for increased or future use of groundwater.

Yes. A 25 year commitment begins in 2018 establishing new citrus and removing the old. This commitment and the expenditure of hundreds of thousands of dollars, prior to this case, was made in reliance of current groundwater rights, and requires future and increased groundwater use

8. The quantity of any beneficial use of any alternative water use that the party claims as its use of groundwater under any applicable law, including, but not limited to, Section 1005.1 , 1005.2 , or 1005.4 of the Water Code.

028-0-050-030 has a Casitas Municipal Water allocation. This allocation alone is insufficient to support the citrus establishment and 25 year commitment. Additionally, use of this allocation results in severe economic hardship.

9. Identification of all surface water rights and contracts that the party claims provides the basis for its water right claims in the comprehensive adjudication.

◦ Riparian rights due to holding in fee.

1           10.     The quantity of any replenishment of water to the basin that augmented the basin's  
2 native water supply, resulting from the intentional storage of imported or non-native water in the  
3 basin, managed recharge of surface water, or return flows resulting from the use of imported  
4 water or non-native water on lands overlying the basin by the party, or the party's representative  
5 or agent, during each of the 10 calendar years immediately preceding the filing of the complaint.

Year	Quantity of replenishment of water
2019	N/A
2018	N/A
2017	N/A
2016	N/A
2015	N/A
2014	N/A
2013	N/A
2012	N/A
2011	N/A
2010	N/A

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11. The names, addresses, telephone numbers, and email addresses of all persons possessing information that supports the party's disclosures.

(a) Name: Jason Goldman  
(b) Address: 421 Los Alamos Ar. Ojai, Ca 93023  
(c) Phone Number: 310 625-7795  
(d) Email Address: jgoldman@be group.us

(a) Name: Judith Mercer  
(b) Address: 1175 Grand Avenue Ojai, Ca 93023  
(c) Phone Number: (805) 646-5510  
(d) Email Address: judy Lmercer@gmail.com

(e) Name: \_\_\_\_\_  
(f) Address: \_\_\_\_\_  
(g) Phone Number: \_\_\_\_\_  
(h) Email Address: \_\_\_\_\_

12. Any other facts that tend to prove the party's claimed water right.

Not at this time, but cross-defendant reserves the right to amend or supplement this statement based on additional discovery and further research.

Dated: 6.30, 2021

Judith L Mercer  
SIGNATURE  
Judith L Mercer  
[CROSS DEFENDANT NAME]

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VERIFICATION

I have read the foregoing INITIAL DISCLOSURE and know its contents.

I am a party to this action. The matters stated in it are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am \_\_\_\_\_ of \_\_\_\_\_, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I have read the foregoing document(s). I am informed and believe and on that ground allege that the matters stated in it are true.

I am one of the attorneys of record for \_\_\_\_\_, a party to this action. Such party is absent from the county in which I have my office, and I make this verification for and on behalf of that party for that reason. I have read the foregoing document(s). I am informed and believe and on that ground allege that the matters stated in it are true.

Executed at [CITY], California on \_\_\_\_\_, 2021.

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

Judith L. Mercer  
[TYPE NAME HERE]