



1 BRIAN E. MOSKAL (SBN 240704)
BMoskal@ggfirm.com
2 GREENBERG GLUSKER FIELDS CLAMAN &
MACHTINGER LLP
3 2049 Century Park East, Suite 2600
Los Angeles, California 90067
4 Telephone: 310.553.3610
Fax: 310.553.0687

5 Attorneys for Property Owner Giannetti Living Trust
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES
10

11 SANTA BARBARA CHANNELKEEPER,
a California non-profit corporation,

12 Petitioner,

13 v.
14

15 STATE WATER RESOURCES
CONTROL BOARD, a California State
Agency; CITY OF SAN
16 BUENAVENTURA, a California
municipal corporation, incorrectly named
17 as CITY OF BUENAVENTURA,

18 Respondents.

19 CITY OF SAN BUENAVENTURA, a
California municipal corporation, etc

20 Cross-Complainant,
21

22 v.
23

24 DUNCAN ABBOTT, an individual, et al.,

25 Cross Defendants.
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27
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Case No. 19STCP01176

[Assigned to Hon. William F. Highberger]

**PROPERTY OWNER GIANNETTI
LIVING TRUST'S VERIFIED INITIAL
DISCLOSURE [CCP § 842]**

Action Filed: Sept. 19, 2014
Trial Date: Not Set

GREENBERG GLUSKER FIELDS CLAMAN
& MACHTINGER LLP
2049 Century Park East, Suite 2600
Los Angeles, California 90067

1 Pursuant to California Code of Civil Procedure section 842 and the Court’s order at the
2 February 9, 2021 status conference in this action, as reflected in Defendant and Cross-
3 Complainant City of Buenaventura’s Notice of Ruling dated February 19, 2021, property owner
4 Giannetti Living Trust (“Giannetti”) submits its initial disclosure. This initial disclosure is based
5 on information currently available to Giannetti. Giannetti reserves the right to amend or
6 supplement this initial disclosure in the future pursuant to California Code of Civil Procedure
7 section 842(d) or otherwise.

8
9 1. The name, address, telephone number, and email address of the party and, if
10 applicable, the party’s attorney.

11 Giannetti Living Trust
12 Brooke and Stephen Giannetti, Co-Trustees
13 851 Saddle Lane
14 Ojai, CA 93023
15 (310) 880-9390
16 bgiannetti@me.com

17 Brian E. Moskal, Esq.
18 2049 Century Park East, Suite 2600
19 Los Angeles, CA 90067
20 (310) 785-6833
21 bmoskal@ggfirm.com

22 2. The quantity of any groundwater extracted from the basin by the party and the
23 method of measurement used by the party or the party’s predecessor in interest for each of the
24 previous 10 years preceding the filing of the complaint.

25 Giannetti extracts groundwater from a metered well at its property located at 851 Saddle
26 Lane, Ojai, California. Giannetti does not concede which, if any, of the four groundwater basins
27 potentially at issue in this action underlie its property nor from which basin Giannetti’s well
28 extracts groundwater. The well is identified by State Well Number 04N23W12G03S. Quantities
extracted for the 10 years preceding the January 2, 2020 filing by Respondent and Cross-
Complainant City of San Buenaventura of its Third Amended Cross-Complaint are as follows:

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Year	Quantity of Groundwater Extracted:	Method of Measurement:
2019	4.0 acre feet	Well meter
2018	4.89 acre feet	Well meter
2017	4.6 acre feet	Well meter
2016	2.66 acre feet	Well meter
2015	None	No well on property
2014	None	No well on property
2013	None	No well on property
2012	None	No well on property
2011	None	No well on property
2010	None	No well on property

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

Giannetti asserts overlying water rights to groundwater beneath its property identified in response to No. 2 above. Giannetti also asserts a right to use groundwater under the self-help doctrine if prescriptive rights to extract groundwater from the basin beneath its property are determined. Giannetti also asserts riparian rights to any subsurface flow that may exist on or appurtenant to its property identified above.

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

2 Giannetti has used extracted groundwater for domestic use, landscape irrigation, farming,
3 watering animals, and fire suppression and prevention uses at the property identified in response
4 to No. 2 above.

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

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8 The well through which Giannetti extracts groundwater is located at its property identified
9 in response to No. 2 above.

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

11
12 Giannetti uses the groundwater extracted from its well at the property identified in
13 response to No. 2 above for the purposes identified in response to No. 4 above.

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

15
16 Giannetti currently expects its future use of groundwater to be consistent with its historical
17 use indicated in response to No. 2 above. Giannetti reserves the right to supplement this initial
18 disclosure to identify increased future use of groundwater.

19 8. The quantity of any beneficial use of any alternative water use that the party
20 claims as its use of groundwater under any applicable law, including, but not limited to, Section
21 1005.1, 1005.2, or 1005.4 of the Water Code.

22
23 Not applicable. Giannetti reserves the right to use additional water pursuant to Sections
24 1005.1, 1005.2, or 1005.4 of the Water Code.

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

3
4 Giannetti asserts riparian rights to any subsurface flow that may exist on or appurtenant to
5 its property.

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

11 Not applicable. Giannetti reserves the right to supplement this initial disclosure with
12 additional information.

13
14 11. The names, addresses, telephone numbers, and email addresses of all persons
15 possessing information that supports the party's disclosures.

16 Giannetti Living Trust
17 Brooke and Stephen Giannetti, Trustees
18 851 Saddle Lane
19 Ojai, CA 93023
20 (310) 880-9390
21 bgiannetti@me.com

22 Brooke and Stephen Giannetti can be contacted through their attorney of record, Brian
23 Moskale, Greenberg Glusker LLP, 2049 Century Park East, Suite 2600, Los Angeles, CA 90067.

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

25 a) Giannetti's uses of water from the Ventura River watershed, if any, are
26 reasonable and beneficial uses because they are for domestic use, farming,
27 watering animals, irrigation, and fire suppression and prevention, among other
28 uses.

 b) Giannetti is exercising vested water rights.

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c) Giannetti’s groundwater use accounts for a de minimis or otherwise relatively insignificant portion of the total water use from the Ventura River watershed, if any, compared to other parties using water from that watershed.

Dated: June 1, 2021



BRIAN E. MOSKAL

Greenberg Glusker Fields Claman &
Machtinger LLP

Attorneys for Property Owner Giannetti
Living Trust

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VERIFICATION

I have read the foregoing PROPERTY OWNER GIANNETTI LIVING TRUST'S VERIFIED INITIAL DISCLOSURE [CCP § 842] and know its contents.

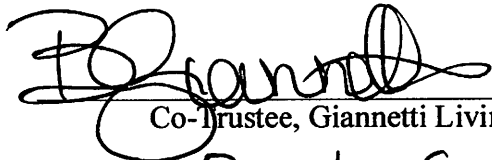
I am a party to this action. The matters stated in it are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am a Co-Trustee of the Giannetti Living Trust, a party that was provided notice of 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 Gjai, California on June 1, 2021.

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



Co-Trustee, Giannetti Living Trust
Print name: Brooke Giannetti