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6 Attorneys for Cross-Defendants Housing Authority of
the City of San Buenaventura, Triad Properties, Inc.,
7 Encanto Del Mar Apartments, L.P., Villages at
Westview I LP, Vista Del Mar Commons, LP, and Soho
8 Associates, L.P.

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **COUNTY OF LOS ANGELES**

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

14 Petitioner,

15 v.

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

19 Respondents.

20
21 CITY OF SAN BUENAVENTURA, a
California municipal corporation,

22 Cross-Complainant

23 v.

24 DUNCAN ABBOTT, an individual, et al.

25 Cross-Defendants

Case No. 19STCP01176

Judge: Honorable William F. Highberger

**VERIFIED INITIAL DISCLOSURES OF
CROSS-DEFENDANTS HOUSING
AUTHORITY OF THE CITY OF SAN
BUENAVENTURA, TRIAD
PROPERTIES, INC., ENCANTO DEL
MAR APARTMENTS, L.P., VILLAGES
AT WESTVIEW I LP, VISTA DEL MAR
COMMONS, LP, AND SOHO
ASSOCIATES, L.P.**

Action Filed: Sept. 19, 2014

Trial Date: Not Set

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**VERIFIED INITIAL DISCLOSURES OF CROSS-DEFENDANTS HOUSING AUTHORITY OF THE CITY OF SAN
BUENAVENTURA, TRIAD PROPERTIES, INC., ENCANTO DEL MAR APARTMENTS, L.P., VILLAGES AT
WESTVIEW I LP, VISTA DEL MAR COMMONS, LP, AND SOHO ASSOCIATES, L.P.**

Through its undersigned counsel of record, the Housing Authority of the City of San Buenaventura, Triad Properties, Inc., Encanto Del Mar Apartments, L.P., Villages at Westview I LP, Vista Del Mar Commons, LP, and Soho Associates, L.P. (collectively, "Cross-Defendants"), sued by Cross-Complainant City of San Buenaventura ("Cross-Complainant") in the above-captioned action as presumptive cross-defendant overlying landowners, hereby serve their Verified Initial Disclosures ("Disclosures") pursuant to Code of Civil Procedure section 842, subdivision (a).

Cross-Defendants reserve the right to amend, supplement and/or correct these Disclosures as contemplated by Code of Civil Procedure section 842, subdivision (d), and as otherwise permitted under applicable law. This reservation of rights is made generally, as well as with specific regard to two parcels (APNs 069-0-290-015 and 069-0-290-425) that counsel for Cross-Complainants only advised Cross-Defendants on May 28, 2021 were parcels that Cross-Complainants contend are within the basins identified in the operative Third Amended Cross-Complaint ("TACC"). After Cross-Defendants have a sufficient opportunity to investigate any water extraction from sources underlying these parcels and to otherwise evaluate their water rights with respect thereto, Cross-Defendants will determine whether any amendment or supplement to these Disclosures is necessary.

By these Disclosures, Cross-Defendants in no manner waive their rights to rely on documents or other information that are not disclosed below due to good faith oversight, mistake, inadvertence, or other justifiable reason(s).

1. Name, Address, Telephone Number, and Email Address of the Party and, If Applicable, the Party's Attorney.

(a) Housing Authority of the City of San Buenaventura; 995 Riverside Street, Ventura, CA 93001; (805) 648-5008; tdolan@hacityventura.org

(b) Triad Properties, Inc.; 995 Riverside Street, Ventura, CA 93001; (805) 648-5008; tdolan@hacityventura.org

(c) Encanto Del Mar Apartments, L.P.; 995 Riverside Street, Ventura, CA 93001; (805) 648-5008; tdolan@hacityventura.org

(d) Villages at Westview I LP; 995 Riverside Street, Ventura, CA 93001; (805) 648-5008;

tdolan@hacityventura.org

(e) Vista Del Mar Commons, LP; 995 Riverside Street, Ventura, CA 93001; (805) 648-5008;

tdolan@hacityventura.org

(f) Soho Associates, L.P.; 995 Riverside Street, Ventura, CA 93001; (805) 648-5008;

tdolan@hacityventura.org

(g) Contact information for Cross-Defendants' attorneys of record is listed above in the caption

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.

Based on information currently reasonably available to Cross-Defendants, and for the relevant time period covering the years 2010 – 2019, Cross-Defendants have not extracted any groundwater from any of the basins identified in the TACC.

3. The Type of Water Right or Rights Claimed by the Party For the Extraction of Groundwater.

Based on information currently reasonably available to Cross-Defendants, each of the Cross-Defendants asserts overlying rights to extract groundwater underlying the parcel(s) of real property they each own.

4. A General Description of the Purpose to Which the Groundwater Has Been Put.

Based on information currently reasonably available to Cross-Defendants, not applicable in light of the response to No. 2, above.

5. The Location of Each Well or Other Source Through Which Groundwater Has Been Extracted.

Based on information currently reasonably available to Cross-Defendants, not applicable in light of the response to No. 2, above.

6. The Area in Which the Groundwater Has Been Used.

Based on information currently reasonably available to Cross-Defendants, not applicable in light of the response to No. 2, above.

1 **7. Any Claims For Increased or Future Use of Groundwater.**

2 Based on information currently reasonably available to Cross-Defendants, Cross-Defendants
3 reserve their rights to extract, pump, and/or use groundwater in the future from water sources underlying
4 the parcel(s) of real property they each own.

5 **8. The Quantity of Any Beneficial Use of Any Alternative Water Use That the Party**
6 **Claims as its Use of Groundwater Under Any Applicable Law, Including, But not Limited to,**
7 **Section 1005.1 , 1005.2 , or 1005.4 of the Water Code.**

8 Based on information currently reasonably available to Cross-Defendants, Cross-Defendants do
9 not make any such claims at this time.

10 **9. Identification of All Surface Water Rights and Contracts That the Party Claims**
11 **Provides the Basis For its Water Right Claims in the Comprehensive Adjudication.**

12 Based on information currently reasonably available to Cross-Defendants, Cross-Defendants
13 reserve their rights to extract, pump, and/or use water in the future from water sources within the
14 Holocene Alluvium that underlies the parcel(s) of real property they each own, which Holocene
15 Alluvium supports the subterranean flow of the Ventura River (which, in turn, supports the overall
16 streamflow of the Ventura River).

17 **10. The Quantity of Any Replenishment of Water to the Basin That Augmented the**
18 **Basin's Native Water Supply, Resulting From the Intentional Storage of Imported or Non-Native**
19 **Water in the Basin, Managed Recharge of Surface Water, or Return Flows Resulting From the**
20 **Use of Imported Water or Non-Native Water on Lands Overlying the Basin by the Party, or the**
21 **Party's Representative or Agent, During Each of the 10 Calendar Years Immediately Preceding**
22 **the Filing of the Complaint.**

23 Based on information currently reasonably available to Cross-Defendants, and for the relevant
24 time period covering the years 2010 – 2019, Cross-Defendants have not replenished any water to any of
25 the basins identified in the TACC as a result of the circumstances described in Code of Civil Procedure
26 section 842, subdivision (a)(10).

1 **11. The Names, Addresses, Telephone Numbers, and Email Addresses of All Persons**
2 **Possessing Information That Supports the Party's Disclosures.**

3 (a) Denise Wise, CEO; Housing Authority of the City of San Buenaventura, 995 Riverside
4 Street, Ventura, CA 93001; (805) 648-5008; dwise@hacityventura.org

5 (b) Tiernan Dolan, General Counsel; Housing Authority of the City of San Buenaventura, 995
6 Riverside Street, Ventura, CA 93001; (805) 648-5008; tdolan@hacityventura.org

7 (c) Steve Johnson and Steve Reich; Stetson Engineers, Inc., 861 Village Oaks Drive, Suite 100,
8 Covina, CA 91724; (626) 967-6202; Covina@stetsonengineers.com

9 (d) Undersigned counsel of record; contact information listed above in caption

10 **12. Any Other Facts That Tend to Prove the Party's Claimed Water Right.**

11 Based on information currently reasonably available to Cross-Defendants, Cross-Defendants
12 proffer no additional facts at this time.

13
14 Dated: June 1, 2021

COLEMAN FROST, LLP

TRISTAN F. MACKPRANG

DAVID J. FARKAS

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16 By: /s/ Tristan F. Mackprang

17 Attorneys for Cross-Defendants Housing
18 Authority of the City of San Buenaventura, Triad
19 Properties, Inc., Encanto Del Mar Apartments,
20 L.P., Villages at Westview I LP, Vista Del Mar
21 Commons, LP, and Soho Associates, L.P.
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1 **VERIFICATION**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I have read the foregoing **VERIFIED INITIAL DISCLOSURES OF CROSS-**
4 **DEFENDANTS HOUSING AUTHORITY OF THE CITY OF SAN BUENAVENTURA, TRIAD**
5 **PROPERTIES, INC., ENCANTO DEL MAR APARTMENTS, L.P., VILLAGES AT**
6 **WESTVIEW I LP, VISTA DEL MAR COMMONS, LP, AND SOHO ASSOCIATES, L.P.** and
7 know their contents.

8 I am Chief Executive Officer for Cross-Defendants Housing Authority of the City of San
9 Buenaventura and Triad Properties, Inc., as well as Executive Director for Cross-Defendants Encanto
10 Del Mar Apartments, L.P., Villages at Westview I LP, Vista Del Mar Commons, LP, and Soho
11 Associates, L.P. (collectively, "Cross-Defendants"). I am authorized to make this verification for and on
12 Cross-Defendants' behalf, and I make this verification for that reason. I have read the foregoing
13 document. Based on information currently reasonably available, I am informed and believe and on that
14 ground allege that the matters stated in it are true.

15 Executed on June 1, 2021, in Ventura, California.

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

18 Denise Wise
19 Print Name of Signatory

Denise M Wise
Signature

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VERIFIED INITIAL DISCLOSURES OF CROSS-DEFENDANTS HOUSING AUTHORITY OF THE CITY OF SAN
BUENAVENTURA, TRIAD PROPERTIES, INC., ENCANTO DEL MAR APARTMENTS, L.P., VILLAGES AT
WESTVIEW I LP, VISTA DEL MAR COMMONS, LP, AND SOHO ASSOCIATES, L.P.