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7 Attorney for Cross-Defendant,  
8 **KROTONA INSTITUTE OF THEOSOPHY**

9  
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF LOS ANGELES**

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

14 **Petitioner,**

15 vs.

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

21 **Respondents.**

22 **CITY OF SAN BUENAVENTURA, a**  
23 **California municipal corporation,**

24 **Cross-Complainant**

25 vs.

26 **DUNCAN ABBOTT, an individual, et. al.,**

27 **Cross-Defendant**

Case No. 19STCP01176

Judge: Honorable William F. Highberger

Verified Initial Disclosures

Action Filed: Sept. 19, 2014

Trial Date: Not Set

**INTRODUCTION**

Cross-Defendant Krotona Institute of Theosophy (“Krotona”) provides this Initial Disclosure pursuant to California Code of Civil Procedure § 842 as follows and reserves the right to amend or supplement this disclosure, where appropriate, at a future date. (Code of Civ. Proc. § 842, subd. (d)(1)-(3).)

The Krotona Institute of Theosophy was established on 115.8 acres of oak woodland near the western entrance to Ojai, California in 1924. Krotona is an international center inspired by a vision of the Oneness of all life, and dedicated to the spiritual awakening of the human family.

A non-profit center, the Institute welcomes students, guests, and visitors from around the world. A resident community supports Krotona's activities; currently, thirty (30) residents occupy individual homes and apartments on site. A School of Theosophy offers courses on comparative religion, philosophy and science, exploring the universal "ageless wisdom" of applied spirituality. Student/faculty and guest housing accommodates twenty (20) visitors, and a spacious conference hall supports larger gatherings of several hundred visitors at a time. Krotona's Library offers an extensive collection for student and community access, while the Quest Bookshop specializes in related fields from consciousness studies to healing, myth, and meditation. The Institute encourages harmony and compassion in all our relations, inspiring freedom in the quest for truth, in cooperation with Nature. For more information, please visit:

[Krotona Institute of Theosophy – A Theosophical Center Since 1924.](#)

**DISCLOSURE NO. 1:**

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

**RESPONSE TO DISCLOSURE NO. 1:**

Guru D. Prasad, Resident Head

Krotona Institute of Theosophy

1 2 Krotona Street, Ojai, CA 93023

2 office: 805-646-7679

3 residenthead@krotonainstitute.org

4  
5 Ryan Blatz

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12  
13 **DISCLOSURE NO. 2:**

14 The quantity of any groundwater extracted from the basin by the party and the method of  
15 measurement used by the party’s predecessor in interest for each of the previous 10 years  
16 preceding the filing of the Complaint.

17 **RESPONSE TO DISCLOSURE NO. 2:**

18 Krotona uses two wells for its water supply, the South well and the North well. The  
19 water usage from both wells has been recorded based on readings of water meters installed in the  
20 wells’ discharge pipes. As required by the State Water Resources Control Board (SWRCB),  
21 these annual water usage records were reported in the Krotona Institute of Theosophy’s annual  
22 operation reports to the SWRCB.

23 The annual amount of water usage recorded between 2010 through 2020 for the South  
24 well is as follows:

25  
26 **Krotona South Well – Annual Water Use**

YEAR	GAL
2010	3,567,175
2011	2,944,026

1	2012	4,246,974
2	2013	4,445,663
3	2014	3,921,839
4	2015	2,989,083
5	2016	3,015,188
6	2017	2,740,448
7	2018	2,790,788
8	2019	1,866,784
9	2020	1,969,559

10 The annual amount of water usage recorded between 2010 through 2020 for the North  
 11 well is as follows:

12  
 13 **Krotona North Well – Annual Water Use**

14	YEAR	GAL
15	2010	1,270,628
16	2011	1,769,544
17	2012	1,951,756
18	2013	1,718,904
19	2014	1,348,794
20	2015	no data
21	2016	no data
22	2017	no data
23	2018	1,156,558
24	2019	1,542,451
25	2020	1,147,731

26  
 27 Krotona asserts a right to at least this quantity and range of annual water use as an  
 28 overlying landowner to groundwater. To the extent that any other Krotona water right or portion

1 of a right is dormant or unexercised at this time, due to active onsite water conservation or  
2 otherwise, such non-use is not to be misconstrued as any form of Krotona abandonment or  
3 relinquishment of those rights. For example, water usage was below average in 2020, in part due  
4 to COVID-19 and social distancing health and safety policies that reduced Krotona visitorship.  
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7 **DISCLOSURE NO. 3:**

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

9 **RESPONSE TO DISCLOSURE NO. 3:**

10 The Krotona Institute purchased its 115.8 acre property in 1924. At least two other, now  
11 inactive, wells on the lower property provided water, prior to the construction of the North and  
12 South wells in the 1940's. The State of California permitted Krotona to use its wells in  
13 accordance with the following documents:

- 14 • Water Supply Permit issued by the State of California Department of Public  
15 Health for two deep water wells and distribution system on October 11, 1956.
- 16 • South Well: State of California Domestic Water Supply Permit No: 05-06-03P-012;  
17 Public Water System No. 5601401; Submittal date: May 12, 2002.
- 18 • North Well: Permit Amendment No. 05-06-04PA-004.

19 Effective date: September 30, 2004. This amendment allows Krotona to operate  
20 the North Well as a standby water source for the South well.  
21

22 The current South and North well were drilled and in operation since the 1940's.

23 Krotona is an overlying landowner and asserts both overlying and unexercised water  
24 rights for the extraction of groundwater from inactive wells located on the Krotona property  
25 within the Upper Ventura River Groundwater Basin. Krotona has a connection to Casitas  
26 Municipal Water District for use in case of emergency.

27 Krotona also asserts a right to use groundwater under the self-help doctrine, if  
28 prescriptive rights to extract groundwater from the basin are determined.

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**DISCLOSURE NO. 4:**

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

**RESPONSE TO DISCLOSURE NO. 4:**

Krotona uses the ground water from its wells for domestic, irrigation, and firefighting purposes.

**DISCLOSURE NO. 5:**

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

**RESPONSE TO DISCLOSURE NO. 5:**

South well: located in the lower South pasture of the Krotona property, near highway 33.

North well: located at the North side of the Krotona property, near the property line with Taormina, behind house No. 6.

**DISCLOSURE NO. 6:**

The area in which the groundwater has been used.

**RESPONSE TO DISCLOSURE NO. 6:**

The South well is used for homes and buildings across Krotona’s property and the firefighting system; the North well is used for irrigation of the central area of Krotona and is permitted as a back-up water source for the South well.

**DISCLOSURE NO. 7:**

Any claims for increased or future use of groundwater.

**RESPONSE TO DISCLOSURE NO. 7:**

Krotona is a non-profit organization and a community with approximately 30 residents living on-site. More residents could be invited to stay, with possible additions within its

1 objectives. The community supports educational programs (a school and conference hall, with  
2 on-site student/faculty housing) and commercial/educational services (bookshop; library) for  
3 both the local and international community. The grounds are open from dusk to dawn and visited  
4 by many people from all over the world. Sustaining a minimum level of irrigation of the central  
5 grounds and residential areas is essential to support the above domestic activities in the future.

6 Krotona's 63,000 gal firefighting water storage tank will continue to be extremely  
7 important in the future. Krotona is situated in a drought-prone region with wildfire precautions  
8 currently in place year-round. The storage tank can be filled with water from the South and  
9 North wells.

10 The water usage in the last two years has been lower than normal. Because of the recent  
11 pandemic and onsite water conservation efforts, total water usage is not representative of  
12 Krotona's long-term average annual needs which sustains the residents, the School, landscape,  
13 students, visitors, and all structures on the grounds. With the gradual reopening of the Krotona  
14 grounds, and reconvening of its normal operations, Krotona will accommodate additional  
15 residents (as there are several vacant houses), and will welcome year-round again more visitors,  
16 guests, and students. Consequently, Krotona's future water requirements will increase to sustain  
17 and increase these activities along with building and infrastructure maintenance.

18 Among its future plans, the Institute envisions adding a meditation center, expanding its  
19 native plant demonstration gardens, initiating wildland restoration projects, and offering timely  
20 national and international conferences furthering environmental sustainability.  
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23 **DISCLOSURE NO. 8:**

24 The quantity of any beneficial use of any alternative water use that the party claims as its  
25 use of groundwater under any applicable law, including, but not limited to, Section 1005.1,  
26 1005.2, or 1005.4 of the Water Code.

27 **RESPONSE TO DISCLOSURE NO. 8:**  
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1 To the extent that Krotona maintains riparian rights to subsurface underflow that is or may  
2 be “part and parcel” of the property, Krotona reserves the right to this additional water use pursuant  
3 to Water Code Sections 1005.1, 1005.2, 1005.4, or other applicable law.  
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6 **DISCLOSURE NO. 9:**

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

9 **RESPONSE TO DISCLOSURE NO. 9:**

10 Krotona asserts possible riparian rights to any intermittent surface flow and subsurface  
11 underflow underneath any of its property. Krotona is doing further research on the hydrogeology  
12 of its property.  
13

14 **DISCLOSURE NO. 10:**

15 The quantity of any replenishment of water to the basin that augmented the basin’s native  
16 water supply, resulting from the intentional storage of imported or non-native water in the basin,  
17 managed recharge of surface water, or return flows resulting from the use of imported water or  
18 non-native water on lands overlying the basin by the party, or the party’s representative or agent,  
19 during each of the 10 calendar years immediately preceding the filing of the Complaint.  
20

21 **RESPONSE TO DISCLOSURE NO. 10:**

22 The South well is located within a large meadow in the lower acreage. Due to its low  
23 elevation and expanse, this area functions as a natural water catch basin, contributing to the  
24 consistent water levels in the South well throughout the years. Krotona is actively exploring  
25 public interest projects, which might further utilize the space and capacity of the property to  
26 generate groundwater recharge and/or stormwater management benefits.

27 Krotona does not currently import any non-native water or manage any recharge of  
28 surface water peak-flow into groundwater, but reserves the right to appropriate water and store



1 such waters for more than 30-days (pursuant to a Water Availability Analysis) and/or capture  
2 and store stormwater or rainwater through any combination of offsets or production forbearance  
3 or conserved water credits that might otherwise contribute to either onsite water supply  
4 resiliency and reliability or enhance stream flow in San Antonio Creek or the Ventura River.  
5

6 **DISCLOSURE NO. 11:**

7 The names, addresses, telephone numbers, and email addresses of all persons possessing  
8 information that supports the party's disclosures.  
9

10 **RESPONSE TO DISCLOSURE NO. 11:**

11 Guru D. Prasad  
12 44 Krotona St. Ojai, CA 93023  
13 residenthead@krotonainstitute.org  
14 805-646-7679 office  
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21 Maria Parisen  
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24 805-646-1139 office 805-336-5502 mobile  
25

26 Tom Hicks  
27 Hicks Law  
28 35 Temescal Terrace

1 San Francisco, Ca. 94118

2 tdh@tomhickslaw.com

3 (415) 309-2098

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5 **DISCLOSURE NO. 12:**

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

7 **RESPONSE TO DISCLOSURE NO. 12:**

8 To the extent that Krotona asserts and may have riparian rights to subsurface underflow  
9 on or appurtenant to or "part and parcel" of the property, Krotona reserves the right to this  
10 additional water use pursuant to Water Code Sections 1005.1, 1005.2, 1005.4, or other applicable  
11 law.

12 Krotona may seek future local or state-funded grant projects to plan and implement onsite  
13 *voluntary* water conservation actions that will further conserve Krotona's onsite annual water  
14 demand, including stormwater, rainwater, reduction of non-native vegetation, and other onsite  
15 water use efficiencies to use less water annually for the purpose of enhancing stream flow.  
16 Krotona is exploring projects that may result in a 20-year or longer commitment to onsite  
17 "production forbearance" and/or direct streamflow enhancement benefits for steelhead.  
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19  
20 Krotona makes this Initial Disclosure based on the information currently available to it.  
21 Krotona will amend this disclosure, if necessary, consistent with California Code of Civil  
22 Procedure section 842(d) (1-3).

23 Krotona is serving this Initial Disclosure electronically to all parties to the extent possible  
24 pursuant to California Code of Civil Procedure section 842(e).  
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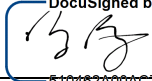
7/15/2021

1 DATED: July \_\_, 2021

RYAN BLATZ

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By:  510402A00AC7409...

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Ryan Blatz  
Attorney for  
KROTONA INSTITUTE THEOSOPHY

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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 Guru D. Prasad of Krotona Institute of Theosophy, Ojai, 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 Ojai, California on July 8th, 2021.

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

DocuSigned by:  
*Guru Prasad*  
967F20EA0791497...  
Guru D Prasad