

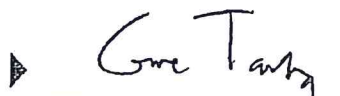
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                 |                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):<br>Gene Tanaka, SBN 101423/Sarah Christopher Foley, SBN 277223<br>Best Best & Krieger LLP<br>2001 N. Main Street, Suite 390<br>Walnut Creek, CA 94596<br>TELEPHONE NO.: (925) 977-3300 FAX NO. (Optional): (925) 977-1870<br>E-MAIL ADDRESS (Optional): gene.tanaka@bbklaw.com<br>ATTORNEY FOR (Name): City of San Buenaventura                                                                                                                         | FOR COURT USE ONLY<br><br><b>CONFORMED COPY<br/>ORIGINAL FILED</b><br>Superior Court of California<br>County of Los Angeles<br><br><b>DEC 10 2019</b><br>Sherri R. Carter, Executive Officer/Clerk of Court<br>By: Isaac Lovo, Deputy |                                                                                                                                                                                                                                                                                                                                                 |                             |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles<br>STREET ADDRESS: 312 N. Spring Street<br>MAILING ADDRESS:<br>CITY AND ZIP CODE: Los Angeles, CA 90012<br>BRANCH NAME: Complex Division                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                 |                             |
| PLAINTIFF/PETITIONER: Santa Barbara Channelkeeper<br>DEFENDANT/RESPONDENT: State Water Resources Control Board, et al.                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                 |                             |
| <table border="1"> <tr> <td data-bbox="121 682 1023 882"> <p align="center"><b>NOTICE OF ENTRY OF JUDGMENT<br/>OR ORDER</b></p> <p>(Check one):    <input checked="" type="checkbox"/> <b>UNLIMITED CASE</b><br/>           (Amount demanded<br/>           exceeded \$25,000)      <input type="checkbox"/> <b>LIMITED CASE</b><br/>           (Amount demanded was<br/>           \$25,000 or less)</p> </td> <td data-bbox="1023 682 1469 882">           CASE NUMBER:<br/>           19STCP01176         </td> </tr> </table> |                                                                                                                                                                                                                                       | <p align="center"><b>NOTICE OF ENTRY OF JUDGMENT<br/>OR ORDER</b></p> <p>(Check one):    <input checked="" type="checkbox"/> <b>UNLIMITED CASE</b><br/>           (Amount demanded<br/>           exceeded \$25,000)      <input type="checkbox"/> <b>LIMITED CASE</b><br/>           (Amount demanded was<br/>           \$25,000 or less)</p> | CASE NUMBER:<br>19STCP01176 |
| <p align="center"><b>NOTICE OF ENTRY OF JUDGMENT<br/>OR ORDER</b></p> <p>(Check one):    <input checked="" type="checkbox"/> <b>UNLIMITED CASE</b><br/>           (Amount demanded<br/>           exceeded \$25,000)      <input type="checkbox"/> <b>LIMITED CASE</b><br/>           (Amount demanded was<br/>           \$25,000 or less)</p>                                                                                                                                                                                   | CASE NUMBER:<br>19STCP01176                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                 |                             |

## TO ALL PARTIES :

1. A judgment, decree, or order was entered in this action on (date): November 27, 2019
2. A copy of the judgment, decree, or order is attached to this notice.

Date: December 10, 2019

Gene Tanaka

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)
  
 (SIGNATURE)

PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 2001 N. Main St. Suite 390, Walnut Creek, CA 94596. On December 10, 2019, I served the within document(s):

NOTICE OF ENTRY OF JUDGMENT OR ORDER (ORDER GRANTING RESPONDENT AND CROSS-COMPLAINANT CITY OF SAN BUENAVENTURA'S MOTION FOR APPROVAL OF NOTICE AND FORM ANSWER)

- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Walnut Creek, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.
- ☐ I caused such envelope to be delivered via overnight delivery. Such envelope was deposited for delivery by United Parcel Service following the firm's ordinary business practices.
- ☒ by transmission via **E-Service to File & ServeXpress** to the person(s) set forth below. Local Rules of Court 2.10 (P).
- ☒ **By e-mail or electronic transmission.** I caused the documents to be sent to the persons at the e-mail 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.

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Tel: (415) 510-3376  
matthew.bullock@doj.ca.gov

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Santa Barbara Channelkeeper

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Water Resources Control Board

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Company, Siete Robles Mutual Water  
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Attorneys for Cross-Defendant Wood-  
Claeysens Foundation

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

3 Executed on December 10, 2019 at Walnut Creek, California.  
4

5 

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Irene Islas  
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**FILED**  
Superior Court of California  
County of Los Angeles

NOV 27 2019

Sherri R. Carter, Executive Officer/Clerk  
By , Deputy  
Pedro Martinez

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, a California State  
Agency; et al.,

Respondents.

CITY OF SAN BUENAVENTURA, a  
California municipal corporation,

Cross-Complainant,

v.

DUNCAN ABBOTT, an individual; et al.

Cross-Defendants.

Case No. 19STCP01176

Judge: Honorable William F. Highberger

~~PROPOSED~~ ORDER GRANTING  
RESPONDENT AND CROSS-  
COMPLAINANT CITY OF SAN  
BUENAVENTURA'S MOTION FOR  
APPROVAL OF NOTICE AND FORM  
ANSWER

Date: November 21, 2019

Time: 2:00 p.m.

Dept.: SS10

Action Filed: September 19, 2014

Trial Date: Not Set

12/05/2019

  
~~PROPOSED~~ ORDER

On November 21, 2019, in Department SS10 of the above-entitled Court, the Motion for Approval of Notice and Form Answer ("Motion") by Respondent and Cross-Complainant City of San Buenaventura ("City") came on for hearing, the Honorable William F. Highberger, Judge presiding. The parties stated their appearances on the record.

After consideration of the papers filed in connection with the Motion and arguments of counsel, IT IS HEREBY ORDERED:

1. City's Motion is granted.
2. The Court approves the revised Notice of Commencement of Groundwater Adjudication ("Notice of Adjudication"), revised Notice of Adjudication in Spanish, and form answer ("Form Answer"), attached as Exhibits 1, 2, and 3 respectively.
3. The Court authorizes service of the revised Notice of Adjudication and Form Answer in accordance with California Civil Procedure Code section 836(d).
4. All those receiving the Notice of Adjudication and Form Answer shall have sixty (60) days to respond to the Third Amended Cross-Complaint and may respond to the Third Amended Cross-Complaint by completing, filing, and serving the Form Answer.
5. All service shall be made by electronic service through the provider File & ServeXpress. To register, visit their website, <https://os.fileandservexpress.com/web/ui/welcomepage.aspx>, or call 1-888-529-

12/05/2019

7587.

6. Filing in this case must be done in one of three ways at the Stanley Mosk Courthouse, located at 111 North Hill Street, Los Angeles, CA 90012, <http://www.lacourt.org/courthouse/info/address/la:>

- a. Deliver in person to: Stanley Mosk Courthouse, Complex Civil Filing Window, First Floor, Room 102, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, except for Court Holidays;
- b. Mail to: Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012; or
- c. Fax filing: Stanley Mosk Courthouse, General Jurisdiction-Complex (Room 102), Facsimile Telephone Number: (442) 247-3769.

7. A first appearance fee of \$435 will be required for all newly appearing cross-defendants, subject to any applicable waiver.

8. No additional complex fees are required in accordance with California Government Code section 70616.

9. A case management conference ("CMC") in this proceeding is scheduled to occur on June 1, 2020, at 1:30 p.m., in Department SS10.

Nov. 27, 2019

*C. F. Higaberg*  
Superior Court Judge

# EXHIBIT 1

12/05/2019

12/05/2019  
61025072

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8 655 West Broadway, 15th Floor  
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9 Tel.: 619.525.1300; Fax: 619.233.6118

10 Attorneys for Respondent and Cross-Complainant  
11 CITY OF SAN BUENAVENTURA

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 COUNTY OF LOS ANGELES

14 SANTA BARBARA CHANNELKEEPER,  
15 a California non-profit corporation,

16 Petitioner,

17 v.

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

22 Respondents.

23 CITY OF SAN BUENAVENTURA, a  
24 California municipal corporation,

25 Cross-Complainant

26 v.

27 DUNCAN ABBOTT, an individual, et al.

28 Cross-Defendants.

Case No. 19STCP01176

Judge: Honorable William F. Highberger

NOTICE OF COMMENCEMENT OF  
GROUNDWATER BASIN AND  
WATERSHED ADJUDICATION

CMC: June 1, 2020  
Time: 1:30 p.m.  
Dept: SS10

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

LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
2001 N. MAIN STREET, SUITE 390  
WALNUT CREEK, CALIFORNIA 94596

A duplicate copy of the Third Amended Cross-Complaint may be obtained by contacting Cross-Complainant's attorney identified in this notice. If you claim rights to pump or store groundwater within the basins identified herein, either now or in the future, you may become a party to this lawsuit by filing an answer to the lawsuit on or before the deadline specified in this notice. You may file an answer by completing the attached Form Answer, filing it with the court indicated in this notice, and sending a copy of the Form Answer to the Cross-Complainant's attorney identified below in this notice.

Failing to participate in this lawsuit could have a significant adverse effect on any right to pump or store groundwater that you may have. Specifically, a judgment may be entered that prevents any person now or in the future, who owns your land from ever pumping, extracting or storing groundwater from, under or on your land.

You may seek the advice of an attorney in relation to this lawsuit. Such attorney should be consulted promptly. A case management conference (“CMC”) in this groundwater basin adjudication proceeding is currently scheduled to occur on the date specified on the cover page of this notice. If you intend to participate in the groundwater adjudication proceeding to which this notice applies, you are advised to



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12/05/2019

1 attend the next case management conference in person or have an attorney represent  
2 you at the next case management conference.

3  
4 Participation requires the production of all information regarding your  
5 groundwater use. You must provide this information within six months of  
6 appearing in the comprehensive adjudication, unless otherwise stipulated by the  
7 parties or ordered by the Court pursuant to Code of Civil Procedure section 842.

8  
9 A Form Answer is provided for your convenience. You may fill out the  
10 Form Answer and file it with the Court. Should you choose to file the Form  
11 Answer, it will serve as an answer to all complaints and cross-complaints filed in  
12 this case.

13  
14 The following information is provided pursuant to Code of Civil  
15 Procedure section 836(a)(1)(B):

16  
17 (i) Names of Basins:

- 18 a. Upper Ventura River Groundwater Basin (Department of Water  
19 Resources' ("DWR") Bulletin 118 Groundwater Basin Number  
20 4-3.01);  
21 b. Ojai Valley Groundwater Basin (DWR's Bulletin 118  
22 Groundwater Basin Number 4-2);  
23 c. Lower Ventura River Groundwater Basin (DWR's Bulletin 118  
24 Groundwater Basin Number 4-3.02); and  
25 d. Upper Ojai Valley Groundwater Basin (DWR's Bulletin 118  
26 Groundwater Basin Number 4-1)  
27 (collectively "Ventura River Watershed Groundwater Basins").  
28

12/05/2019  
6102/50/21

1  
2 A map of each of the Ventura River Watershed Groundwater Basins is  
3 available at <https://gis.water.ca.gov/app/bbat/>.

4  
5 (ii) Case No. 19STCP01176, Los Angeles County Superior Court,  
6 Complex Civil Litigation Division, Department No. 010, Judge William F.  
7 Highberger presiding, located at 312 North Spring Street, Los Angeles,  
8 California 90012.

9  
10 (iii) Cross-Complainant's counsel may be contacted at the following  
11 mailing address, telephone number, and email address:

12  
13 Dakotah Benjamin  
14 Best Best & Krieger LLP  
15 2001 N. Main Street, Suite 390  
16 Walnut Creek, California 94596  
17 Telephone: 925.977.3330  
18 dakotah.benjamin@bbklaw.com

19 (iv) The Third Amended Cross-Complaint initiating this action for a  
20 comprehensive adjudication of the Ventura River Watershed including the Ventura  
21 River Watershed Groundwater Basins alleges nine claims for relief: (1)  
22 preliminary and permanent injunction reducing Cross-Defendants' use of surface  
23 and/or subsurface water and groundwater affecting the surface and/or subsurface  
24 flow of the Ventura River to a level of reasonable and beneficial use under  
25 California Constitution Article X, Section 2; (2) preliminary and permanent  
26 injunction reducing Cross-Defendants' use of surface and/or subsurface water and  
27 groundwater affecting the surface and/or subsurface flow of the Ventura River to a  
28 level of reasonable and beneficial use and a level that protects public trust  
resources under the public trust doctrine; (3) declaratory relief for pueblo and/or  
treaty water rights; (4) declaratory relief for prescriptive water rights; (5)

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1 declaratory relief for appropriative water rights; (6) comprehensive adjudication  
2 and physical solution; (7) declaratory relief for municipal priority; (8) declaratory  
3 relief for the human right to water; and (9) declaratory relief regarding the Cross-  
4 Complainant's use of surface and/or subsurface water and groundwater affecting  
5 the Ventura River Watershed and declaratory relief that Cross-Defendants' water  
6 uses are not reasonable or beneficial and violate the public trust doctrine. This  
7 Third Amended Cross-Complaint includes claims regarding the groundwater uses  
8 in the Ventura River Watershed Groundwater Basins. The Third Amended Cross-  
9 Complaint also includes claims regarding surface water uses from the Ventura  
10 River and its tributaries, which may be governed by future court orders.

11  
12 (v) Date by which persons receiving this notice must appear in  
13 comprehensive adjudication: Pursuant to Judge Highberger's Order, within sixty  
14 (60) days of receipt of this notice and accompanying form answer, either by filing  
15 the attached Form Answer or other appearance authorized by law.

16  
17 (vi) Service and Filing of Court Documents. You must serve your Form  
18 Answer and any other court documents by electronic service through the provider  
19 File & ServeXpress. To register, visit their website,  
20 <https://os.fileandservexpress.com/web/ui/welcomepage.aspx>, or call 1-888-529-  
21 7587.

22  
23 You must file your Form Answer and any other court documents in this case  
24 by one of three ways at the Stanley Mosk Courthouse, located at 111 North Hill  
25 Street, Los Angeles, CA 90012, <http://www.lacourt.org/courthouse/info/address/la>.

26 a. Deliver in person to: Stanley Mosk Courthouse, Complex Civil  
27 Filing Window, First Floor, Room 102, between the hours of  
28

12/05/2019  
6102/50/21

1 8:30 a.m. and 4:30 p.m., Monday through Friday, except for  
2 Court Holidays;

3 b. Mail to: Stanley Mosk Courthouse, 111 North Hill Street, Room  
4 102, Los Angeles, CA 90012; or

5 c. Fax filing: Stanley Mosk Courthouse, General Jurisdiction-  
6 Complex (Room 102), Facsimile Telephone Number: (442) 247-  
7 3769.

8  
9 The Courthouse where documents will be filed is different than the  
10 Courthouse where this matter will be heard. See (ii) above.

11  
12 (vii) Court fees. A first appearance fee of \$435 will be required for all  
13 newly appearing cross-defendants, subject to any applicable waiver. If you cannot  
14 afford the first appearance fee, you may seek a waiver by filling out the form  
15 available at: <https://www.courts.ca.gov/forms.htm?filter=FW>, and serving and  
16 filing it as described in (vi) above.

17 a. If the Court grants your request for a fee waiver, you may e-mail  
18 the order to File & ServeXpress at [invoicing@fileandserve.com](mailto:invoicing@fileandserve.com),  
19 and File & ServeXpress will waive document service fees.

20 b. No additional complex fees are required in accordance with  
21 California Government Code section 70616.

22  
23 (viii) Public Meetings. The City of San Buenaventura will hold three public  
24 community meetings to explain the proceedings in this comprehensive adjudication  
25 of the Ventura River Watershed. The meetings shall take place on:

26 Thursday, January 30, 2020, 6:00 p.m. - 8:00 p.m.  
27 Matilija Junior High School, Auditorium  
28 703 El Paseo Road  
Ojai, CA 93023

12/05/2019  
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Wednesday, February 12, 2020, 6:00 p.m. - 8:00 p.m.  
Bell Arts Factory, Community Room  
432 N. Ventura Ave  
Ventura, CA 93001

Thursday, February 13, 2020, 6:00 p.m. - 8:00 p.m.  
Oak View Community Center, Kunkle Room  
18 Valley Road  
Oak View, CA 93022

Dated: November\_\_\_\_, 2019

BEST BEST & KRIEGER LLP

By:

\_\_\_\_\_  
GENE TANAKA  
SHAWN HAGERTY  
SARAH CHRISTOPHER FOLEY  
DAKOTAH BENJAMIN  
Attorneys for Respondent and Cross-  
Complainant CITY OF SAN  
BUENAVENTURA

# **EXHIBIT 2**

12/05/2019

12/05/2019  
6102/5071

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11 CIUDAD DE SAN BUENAVENTURA

12 TRIBUNAL SUPERIOR DEL ESTADO DE CALIFORNIA  
13  
14 CONDADO DE LOS ANGELES

15 SANTA BARBARA CHANNELKEEPER,  
una corporación sin fines de lucro de  
16 California

17 Demandante

18 v.

19 JUNTA ESTATAL DE CONTROL DE  
RECURSOS HÍDRICOS, una dependencia  
20 estatal de California;  
CIUDAD DE SAN BUENAVENTURA,  
21 una corporación municipal de California,  
nombrada de manera incorrecta como  
22 CIUDAD DE BUENAVENTURA,

23 Demandados.

24 CIUDAD DE SAN BUENAVENTURA,  
una corporación municipal de California,

26 Contrademandante

27 v.

DUNCAN ABBOTT, un individuo et al.

28 Contrademandados.

Caso No. 19STCP01176

Juez: Honorable William F. Highberger

AVISO DE INICIO DE ADJUDICACIÓN DE  
CUENCAS Y CUENCAS SUBTERRÁNEAS

CMC: 1 de Junio 2020  
Hora: 1:30 p.m.  
Dept: SS10

Acción presentada: 19 de septiembre de 2014  
Fecha del juicio: Por definir



12/05/2019  
6102/5072

## AVISO DE INICIO DE ADJUDICACIÓN DE CUENCA SUBTERRÁNEA

ESTE AVISO ES IMPORTANTE. TODO DERECHO QUE USTED RECLAME PARA BOMBLEAR O ALMACENAR AGUA SUBTERRÁNEA DE LAS CUENCAS IDENTIFICADAS EN ESTE AVISO PUEDE SER AFECTADO POR UNA DEMANDA INICIADA POR LA TERCERA CONTRADEMANDA MODIFICADA QUE SE RESUME A CONTINUACIÓN.

Se puede obtener un duplicado de copia de la Tercera Contrademandada Modificada contactando al abogado del Contrademandante identificado en este aviso. Si usted reclama derechos para bombear o almacenar agua subterránea dentro de las cuencas identificadas en el presente, ya sea ahora o en un futuro, usted puede pasar a ser parte de esta demanda al presentar una respuesta a la demanda en o antes de la fecha límite especificada en este aviso. Usted puede presentar una respuesta completando el Formulario de respuesta adjunto, presentándolo ante el juzgado indicado en este aviso y enviando una copia al abogado del Contrademandante identificado a continuación en este aviso.

El no participar en esta demanda podría tener un efecto adverso importante sobre los derechos a bombear o almacenar agua subterránea que usted pudiera tener. Específicamente, se podría dictar un fallo que evite que cualquier persona que sea dueña de su tierra, ahora o en el futuro, bombee, extraiga o almacene agua subterránea de, debajo o en su tierra.

Usted puede buscar asesoría legal al respecto. En dado caso deberá hacerlo de manera expedita. Actualmente hay una conferencia de manejo de caso ("CMC") en



12/05/2019

1 este procedimiento de adjudicación de cuencas de agua subterránea programada para  
2 la fecha especificada en la portada del presente. Si tiene la intención de participar en  
3 el procedimiento de adjudicación de agua subterránea aplicable a este aviso, se le  
4 sugiere asistir personalmente a la siguiente conferencia de manejo de caso, o estar  
5 representado por un abogado en la siguiente conferencia de manejo de casos.

6  
7 Para participar se exige que presente toda la información relacionada con su  
8 uso de agua subterránea. Usted deberá proporcionarla en un plazo de seis meses a  
9 partir de la fecha en que aparezca en la adjudicación integral, salvo que las partes  
10 estipulen lo contrario o que el Tribunal lo haya ordenado de conformidad con la  
11 sección 842 del Código de Procedimientos Civiles.

12  
13 Para su conveniencia, se proporciona un Formulario de respuesta. Usted  
14 puede llenarlo y presentarlo ante el juzgado. Si decide llenar el Formulario de  
15 respuesta, este servirá como respuesta a todas las demandas y contrademandas  
16 relativas a este caso.

17  
18 Se proporciona la siguiente información de conformidad con el Código de  
19 Procedimientos Civiles, sección 836(a)(1)(B):

20  
21 (i) Nombres de las Cuencas:

- 22 a. Upper Ventura River Groundwater Basin (Cuenca subterránea  
23 superior del Río Ventura), (Boletín 118 Cuenca subterránea  
24 Número 4-3.01 del Departamento de Recursos Hídricos "DWR");  
25 b. Ojai Valley Groundwater Basin (Cuenca subterránea del Valle de  
26 Ojai), (Boletín 118 Cuenca Subterránea Número 4-2 del DWR);  
27 c. Lower Ventura River Groundwater Basin (Cuenca subterránea  
28 inferior del Río Ventura), (Boletín 118 Cuenca subterránea

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12/05/2019

Número 4-3.02 del DWR); y

d. Upper Ojai Valley Groundwater Basin (Cuenca subterránea superior del Valle de Ojai), (Boletín 118 Cuenca subterránea Número 4-1 del DWR)

(colectivamente se las denomina *Upper Ojai Valley Groundwater Basin*, “Cuencas subterráneas de la Cuenca del Río Ventura”).

Un mapa de cada una de las Cuenca Subterráneas de la Cuenca del Río Ventura está a su disposición en <https://gis.water.ca.gov/app/bbat/>.

(ii) Caso No. 19STCP01176, Tribunal Superior del Condado de Los Ángeles, División de Litigios Civiles Complejos, Departamento No. 010, presidiendo el Juez William F. Highberger, ubicado en 312 North Spring Street, Los Angeles, California 90012.

(iii) El abogado del Contrademandante puede ser contactado en la siguiente dirección, número de teléfono, y correo electrónico:

Dakotah Benjamin  
Best & Krieger LLP  
2001 N. Main Street, Suite 390  
Walnut Creek, California 94596  
Teléfono: 925.977.3330  
[dakotah.benjamin@bbklaw.com](mailto:dakotah.benjamin@bbklaw.com)

(iv) La Tercera Contrademanda Modificada que inicia esta acción para una adjudicación integral de la Cuenca del Río Ventura, incluyendo las Cuencas Subterráneas de la Cuenca del Río Ventura, alega nueve reclamaciones de indemnización: (1) orden judicial preliminar y permanente que reduce el uso, por parte de los Contrademandados, del agua superficial y/o subsuperficial y del agua

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1 subterránea que afecta el flujo superficial y/o subsuperficial del Río Ventura a un  
2 nivel de uso razonable y benéfico de acuerdo con el Artículo X, Sección 2 de la  
3 Constitución de California; (2) orden judicial preliminar y permanente que reduce el  
4 uso, por parte de los Contrademandados, del agua superficial y/o subsuperficial y del  
5 agua subterránea que afecta el flujo superficial y/o subsuperficial del Río Ventura a un  
6 nivel de uso razonable y benéfico y a un nivel que proteja los recursos del fideicomiso  
7 público de acuerdo con la doctrina del fideicomiso público; (3) medidas declaratorias  
8 para los derechos de agua de los pueblos y/o tratados; (4) medidas declaratorias para  
9 los derechos de agua prescriptivos; (5) medidas declaratorias para los derechos de  
10 agua apropiados; (6) adjudicación integral y solución física; (7) medidas declaratorias  
11 para prioridad municipal; (8) medidas declaratorias para el derecho humano al agua; y  
12 (9) medidas declaratorias con respecto al uso, por la parte Contrademandante, del  
13 agua superficial y/o subsuperficial y del agua subterránea que afecta la Cuenca del  
14 Río Ventura y una medida declaratoria de que los usos del agua, por la parte  
15 Contrademandada, no son razonables ni benéficos y violan la doctrina del fideicomiso  
16 público. Esta Tercera Contrademanda Modificada incluye reclamos relacionados con  
17 los usos del agua subterránea en las Cuencas Subterráneas de la Cuenca del Río  
18 Ventura. La Tercera Contrademanda Modificada también incluye reclamos  
19 relacionados por los usos de aguas superficiales del Río Ventura y sus afluentes, los  
20 cuales pueden ser regulados por futuras órdenes judiciales.

21  
22 (v) Fecha límite para que las personas que reciben este aviso deban  
23 comparecer en la adjudicación integral: De conformidad con la Orden del Juez  
24 Highberger, deberá ser dentro de los sesenta (60) días siguientes a la recepción de esta  
25 notificación y formulario de respuesta que lo acompaña, sea al presentar el Formulario  
26 De Respuesta adjunto u otra comparecencia autorizada por la ley.

12/05/2019  
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(vi) Notificación y presentación de los documentos de la Corte. Debe enviar su Formulario de respuesta y cualquier otro documento para la corte por servicio electrónico a través del proveedor File & ServeXpress. Para registrarse, visite su sitio web, <https://os.fileandservexpress.com/web/ui/welcomepage.aspx>, o llame al 1-888-529-7587.

Debe presentar su Formulario De Respuesta espuesta y cualquier otro documento para la corte en este caso mediante una de las siguientes tres modalidades ante el Juzgado de Stanley Mosk, ubicado en 111 North Hill Street, Los Angeles, CA 90012, <http://www.lacourt.org/courthouse/info/address/la>.

- a. En persona en: Juzgado de Stanley Mosk, Ventana de Archivo Civil Complejo, Primer Piso, Cuarto 102, de las 8:30 a.m. a las 4:30 p.m., lunes a viernes, excepto en vacaciones de la Corte;
- b. Por correo postal a: Juzgado de Stanley Mosk, 111 de la calle North Hill, (Cuarto 102), Los Angeles, CA 90012; o
- c. Presentación por Fax: Juzgado de Stanley Mosk, Complejo de Jurisdicción General (Cuarto 102), Número de teléfono para Facsímile: (442) 247-3769

El Juzgado donde se presentarán los documentos es diferente que el Juzgado donde se atenderá este caso. Consulte el apartado (ii) anterior.

(vii) Honorarios judiciales. Se requerirá una cuota por primera comparecencia de \$435 a todos los Contrademandados que comparezcan por primera vez, sujeta a cualquier dispensa exención aplicable. Si no puede pagar la cuota de la primera comparecencia, puede solicitar una exención completando el formulario disponible en: <https://www.courts.ca.gov/forms.htm?filter=FW>, y enviándolo y presentándolo como se describe en el apartado (vi) anterior.

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6102/50/21

- 1 a. Si la Corte le concede su solicitud de una exención de la cuota,  
2 puede enviar la orden por correo electrónico a File & ServeXpress  
3 a [invoicing@fileandserve.com](mailto:invoicing@fileandserve.com), y File & ServeXpress le eximirá  
4 del pago de las cotas de presentación de los documentos.  
5 b. No se requieren cargos compuestos adicionales de acuerdo con la  
6 sección 70616 del Código de Gobierno de California.  
7

8 (viii) Reuniones públicas. La Ciudad de San Buenaventura realizará tres  
9 reuniones públicas comunitarias para explicar los procedimientos en esta adjudicación  
10 integral de la Cuenca del Río Ventura. Las reuniones se realizarán en:

11 Jueves, el 30 de Enero de 2020, de 6:00 p.m. a 8:00 p. m.  
12 Matilija Junior High School, Auditorio  
13 703 Calle El Paseo  
Ojai, CA 93023

14 Miercoles, el 12 de Febrero de 2020, de 6:00 a 8:00 p. m.  
15 Bell Arts Factory, Sala de comunidad  
432 N. Ventura Ave  
Ventura, CA 93001

16 Jueves, el 13 de Febrero de 2020, de 6:00 a 8:00 p. m.  
17 Oak View Community Center, cuarto Kunkle  
18 18 Calle Valley  
Oak View, CA 93022

19 Fechado: Noviembre\_\_\_\_\_, de 2019 BEST BEST & KRIEGER LLP  
20

21 Por:

22 GENE TANAKA  
23 SHAWN HAGERTY  
24 SARAH CHRISTOPHER FOLEY  
25 DAKOTAH BENJAMIN  
26 Abogados de la Parte Demandada y  
27 Contrademandante CIUDAD DE SAN  
28 BUENAVENTURA

12/05/2019

# EXHIBIT 3

12/05/2019  
6102/50/21

1 \_\_\_\_\_  
2 Name of Owner/Cross-Defendant/Attorney

3 \_\_\_\_\_  
4 Address

5 \_\_\_\_\_  
6 Address

7 \_\_\_\_\_  
8 Phone Number

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 v.

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

23 Respondents.

24 CITY OF SAN BUENAVENTURA, a  
25 California municipal corporation,

26 Cross-Complainant

27 v.

28 DUNCAN ABBOTT, an individual, et al.

Cross-Defendants.

Case No. 19STCP01176

Judge: Honorable William F. Highberger

FORM ANSWER

Action Filed: Sept. 19, 2014

Trial Date: Not Set



## **ANSWER TO ADJUDICATION** **CROSS-COMPLAINT**

The undersigned denies all material allegations in the cross-complaint in this action that seeks to adjudicate rights in the Ventura River Watershed, including its groundwater basins, which are the (1) Upper Ventura River Groundwater Basin (Department of Water Resources' ("DWR") Bulletin 118, Groundwater Basin Number 4-3.01); (2) Ojai Valley Groundwater Basin (DWR's Bulletin 118, Groundwater Basin Number 4-2); (3) Lower Ventura River Groundwater Basin (DWR's Bulletin 118, Groundwater Basin Number 4-3.02); and (4) Upper Ojai Valley Groundwater Basin (DWR's Bulletin 118 Groundwater Basin Number 4-1) and asserts all applicable affirmative defenses to that cross-complaint.

Date: \_\_\_\_\_

Signature \_\_\_\_\_

Name – Printed \_\_\_\_\_

Cross-Defendant Name \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_

State, Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_



12/05/2019  
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- 1 Property Address :  
2 Parcel No.(s): \_\_\_\_\_  
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12 Attorney Information (if applicable):  
13 \_\_\_\_\_  
14 Company/Firm Name  
15 \_\_\_\_\_  
16 Attorney Name  
17 \_\_\_\_\_  
18 Street Address  
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20 City  
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22 State, Zip Code  
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PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 2001 N. Main St. Suite 390, Walnut Creek, CA 94596. On November 22, 2019, I served the within document(s):

[PROPOSED] ORDER GRANTING RESPONDENT AND CROSS-COMPLAINANT CITY  
OF SAN BUENAVENTURA'S MOTION FOR APPROVAL OF NOTICE AND FORM  
ANSWER

- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Walnut Creek, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.
- ☐ I caused such envelope to be delivered via overnight delivery. Such envelope was deposited for delivery by United Parcel Service following the firm's ordinary business practices.
- ☒ by transmission via **E-Service to File & ServeXpress** to the person(s) set forth below. Local Rules of Court 2.10 (P).
- ☒ **By e-mail or electronic transmission.** I caused the documents to be sent to the persons at the e-mail 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.

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Stephen Mitchell; North Fork Springs Mutual  
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Raz, Sylvia Raz, Senior Canyon Mutual Water  
Company, Siete Robles Mutual Water  
Company, Soule Park Golf Course, Ltd., Telos,  
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16 LLC

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jchrisman@hathawaylawfirm.com

Attorneys for Cross-Defendant Wood-  
Claeyssens Foundation

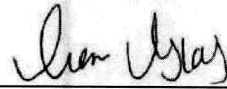
LAW OFFICES OF  
BEST BEST & KRIEGER LLP  
2001 N. MAIN STREET, SUITE 390  
WALNUT CREEK, CALIFORNIA 94596

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

Executed on November 22, 2019 at Walnut Creek, California.



Irene Islas