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Attorney for Cross-Defendant,

FRIENDS STABLE & ORCHARD, INC.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**

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

vs.

STATE WATER RESOURCES CONTROL  
BOARD, a California State Agency;  
CITY OF SAN BUENAVENTURA, a  
California municipal corporation, incorrectly  
named as CITY OF BUENAVENTURA,  
  
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, a  
California municipal corporation,  
  
Cross-Complainant

vs.

DUNCAN ABBOTT, an individual, et. al.,  
  
Cross-Defendant

1 **INTRODUCTION**

2 Cross-Defendant Friends Stable & Orchard, Inc. owner of real property in Ventura  
3 County, California, provides this Initial Disclosure pursuant to California Code of Civil  
4 Procedure § 842 as follows and reserves the right to amend or supplement this disclosure, where  
5 appropriate, at a future date. (Code of Civ. Proc. § 842, subd. (d)(1)-(3).)  
6

7 **DISCLOSURE NO. 1:**

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

11 **RESPONSE TO DISCLOSURE NO. 1:**

12 ~~Friends~~ Stable & Orchard, Inc. *Friend's*  
13 ~~Robert Kittridge~~ *Robert Kittredge*  
14 3562 Grand Ave.  
15 Ojai, CA 93023  
16 (805) 302-2036  
17 robert@friendsstableandorchard.com  
18

19 Ryan Blatz  
20 Ryan Blatz Law  
21 109 North Blanche Street, Suite 103  
22 Ojai, CA 93023  
23 (805) 798-2249  
24 ryan@ryanblatzlaw.com  
25

26 **DISCLOSURE NO. 2:**

27 The quantity of any groundwater extracted from the basin by the party and the method of  
28 measurement used by the party's predecessor in interest for each of the previous 10 years

1 preceding the filing of the Complaint.

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

3 Metered OBGMA well.

4

Year	AF
2010	114.24
2011	42.69
2012	61.68
2013	65.35
2014	109.51
2015	114.28
2016	92.43
2017	90.43
2018	77.8
2019	78.63
2020	95.34

10

13

14 **DISCLOSURE NO. 3:**

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

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

17 Friends Stable & Orchard, Inc. is an overlying landowner and asserts both overlying and  
18 unexercised water rights for the extraction of groundwater from a water well located on its  
19 property from the Ojai Groundwater Basin.

20 Friends Stable & Orchard, Inc. also asserts a right to use groundwater under the self-help  
21 doctrine, if prescriptive rights to extract groundwater from the basin are determined.

22

23 **DISCLOSURE NO. 4:**

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

25 **RESPONSE TO DISCLOSURE NO. 4:**

26 Friends Stable & Orchard, Inc. extracts and uses groundwater from the Ojai Groundwater  
27 Basin for irrigated agriculture on its land to grow Valencia and Navel oranges, as well as Pixie  
28 Mandarin tangerines, and other reasonable and beneficial uses of water.

1  
2 **DISCLOSURE NO. 5:**

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

5 **RESPONSE TO DISCLOSURE NO. 5:**

6 APN: 029-0-140-020  
7

8 **DISCLOSURE NO. 6:**

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

11 **RESPONSE TO DISCLOSURE NO. 6:**

12 APN: 029-0-140-040

13 APN: 029-0-140-020

14 APN: 029-0-140-030

15 APN: 029-0-081-030

16 Friends Stable & Orchard, Inc. owns the four parcels listed immediately above. These  
17 parcels are supplied by a single well within the Ojai Basin Groundwater Management Area  
18 (OBGMA).  
19

20 **DISCLOSURE NO. 7:**

21 Any claims for increased or future use of groundwater.

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

23 Friends Stable & Orchard, Inc. anticipates that its future use of groundwater will be  
24 within the same range as its current use.

25 Friends Stable & Orchard, Inc. asserts the maximum historical right to pump and  
26 consumptively use groundwater (whether dormant or currently unexercised, which is never lost,  
27 forfeited, or abandoned for any period of non-use) or due to any shift in future irrigated  
28 agriculture crop production.

1 Friends Stable & Orchard, Inc. reserves the right to supplement this initial disclosure with  
2 additional future uses.

3  
4 **DISCLOSURE NO. 8:**

5 The quantity of any beneficial use of any alternative water use that the party claims as its  
6 use of groundwater under any applicable law, including, but not limited to, Section 1005.1,  
7 1005.2, or 1005.4 of the Water Code.

8 **RESPONSE TO DISCLOSURE NO. 8:**

9 To the extent that Friends Stable & Orchard, Inc. may have a riparian right to subsurface  
10 underflow that is “part and parcel” of the property, it reserves the right to this additional water  
11 use pursuant to Water Code Sections 1005.1, 1005.2, 1005.4, or other applicable law.

12 Friends Stable & Orchard, Inc. also asserts any quantity of water used as a metered  
13 customer of Casitas Municipal Water District (by any source of its own surface of groundwater  
14 right(s) of its own) as an alternative source that it might use on any of its property *in lieu of* or as  
15 a supplement to any right of use that it might otherwise use to a maximum reasonable and  
16 beneficial use for domestic potable uses.

17  
18 **DISCLOSURE NO. 9:**

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

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

22 Friends Stable & Orchard, Inc. asserts riparian surface rights to McNell Creek, and  
23 possible riparian rights to subsurface underflow underneath any of its property.

24 Friends Stable & Orchard, Inc. also asserts the annual quantity of water used as a metered  
25 customer of Casitas Municipal Water District which it might otherwise use *in lieu of* any  
26 separate right of use it has to either riparian surface water or overlying landowner groundwater.  
27  
28

1 **DISCLOSURE NO. 10:**

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

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

8 Friends Stable & Orchard, Inc. does not currently import any non-native water, but  
9 reserves all rights to drill a deep well into the fractured bedrock beneath the alluvial soils of the  
10 groundwater basin, which would not be hydrologically connected to any surface or subsurface  
11 flows.

12 Friends Stable & Orchard, Inc. does not currently import any non-native water or manage  
13 any recharge of surface water peak-flow into groundwater, but it reserves the right to appropriate  
14 water and store such waters for more than 30-days (pursuant to a Water Availability Analysis)  
15 and/or capture and store stormwater or rainwater.

16 Friends Stable & Orchard, Inc. reserves the ability to generate any combination of offsets  
17 or production forbearance or conserved water credits that might otherwise contribute to either  
18 onsite water supply resiliency and reliability or enhance stream flow.

19 Friends Stable & Orchard, Inc. is exploring the use of mulch in its orchard to further  
20 conserve water and reduce onsite annual demand and pumping.  
21

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23 **DISCLOSURE NO. 11:**

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

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

27 Friends Stable & Orchard, Inc.

28 Robert Kittridge

1 3562 Grand Ave.  
2 Ojai, CA 93023  
3 (805) 302-2036  
4 robert@friendsstableandorchard.com  
5

6 Tom Hicks  
7 Hicks Law  
8 35 Temescal Terrace  
9 San Francisco, CA 94118  
10 (415) 309-2098  
11 tdh@tomhickslaw.com  
12

13  
14 **DISCLOSURE NO. 12:**

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

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

17 Friends Stable & Orchard, Inc., by virtue of its status as an overlying landowner, holds  
18 overlying groundwater rights. Such rights are "part and parcel" of the fee interest.  
19

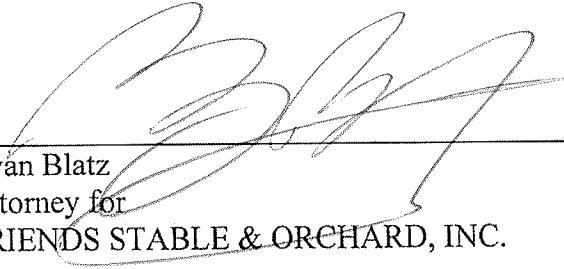
20  
21 Friends Stable & Orchard, Inc. makes this Initial Disclosure based on the information  
22 currently available to it. It will amend or supplement this disclosure, if necessary, consistent  
23 with California Code of Civil Procedure section 842(d) (1-3).

24 Friends Stable & Orchard, Inc. is serving this Initial Disclosure electronically to all  
25 parties to the extent possible pursuant to California Code of Civil Procedure section 842(e).  
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DATED: October 27, 2021

RYAN BLATZ

By:   
\_\_\_\_\_  
Ryan Blatz  
Attorney for  
FRIENDS STABLE & ORCHARD, INC.



VERIFICATION

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

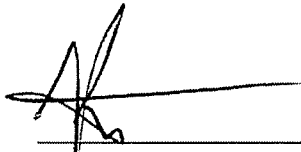
I am a party to this action. The matters stated in it are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am Robert Kittridge of Friends Stable & Orchard, Inc., 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 VENTURA COUNTY, California on October 27, 2021.

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



\_\_\_\_\_  
FRIENDS STABLE & ORCHARD, INC.

1 **PROOF OF SERVICE**

2  
3 **STATE OF CALIFORNIA, COUNTY OF VENTURA**

4  
5 I am employed by the law office of Ryan W. Blatz in the County of Ventura, State of  
6 California. I am over the age of 18 and not a party to the within action. My business address is:  
7 109 N. Blanche St., Suite #103, Ojai, California 93023. My electronic notification address is  
8 ryan@ryanblatzlaw.com.

9  
10 On October 27, 2021, I served on the interested parties in said action the within:

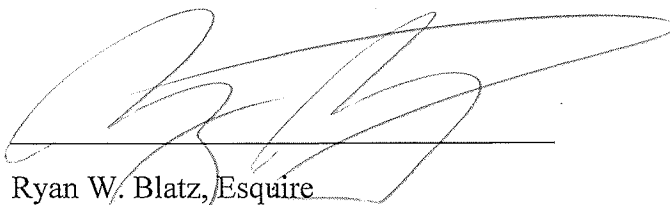
11  
12 **VERIFIED INITIAL DISCLOSURES**

13 as stated below:

14  
15  By transmission via E-Service to File & Serve Xpress as listed on File & Serve  
16 Xpress service list.

17  
18 I declare under penalty of perjury under the laws of the State of California that the above  
19 is true and correct.

20  
21 Executed on October 27, 2021 at Ojai, California.

22  
23  
24 

25 Ryan W. Blatz, Esquire

26 RYAN BLATZ LAW