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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 California
20 municipal corporation, incorrectly named
as CITY OF BUENAVENTURA,

21 Respondents.

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

24 Cross-Complainant

25 v.

26 DUNCAN ABBOTT, an individual, et al.

27 Cross-Defendants.
28

Case No. 19STCP01176

Judge: Honorable William F. Highberger

CROSS-COMPLAINANT CITY OF SAN
BUENAVENTURA'S INITIAL
DISCLOSURES

Action Filed: Sept. 19, 2014

Trial Date: Not Set

1 INITIAL DISCLOSURES

2 Pursuant to California Civil Procedure Code section 842 and the Court’s Order for Stay,
3 dated August 23, 2019, Defendant and Cross-Complainant City of San Buenaventura (“City”)
4 makes the following disclosure of information. The following documents containing information
5 responsive to Civil Procedure Code section 842(a)(1) – (12) are available for download at
6 <https://spaces.hightail.com/receive/13ZdfCL4by> with the following password:
7 !BBKLAW20191022!

8 A. Water Use Information

- 9 1. Ventura Water Comprehensive Water Resources Report, 2013
- 10 2. Ventura Water Comprehensive Water Resources Report, 2014
- 11 3. Ventura Water Comprehensive Water Resources Report, 2015
- 12 4. Ventura Water Comprehensive Water Resources Report, 2016
- 13 5. Ventura Water Comprehensive Water Resources Report, 2017
- 14 6. Ventura Water Comprehensive Water Resources Report, 2018
- 15 7. Ventura Water Comprehensive Water Resources Report, Draft 2019
- 16 8. Ventura Water Comprehensive Water Resources Report, Final 2019
- 17 9. Urban Water Management Plan, 2015
- 18 10. Foster Park Intake, 2010
- 19 11. Foster Park Intake, 2011
- 20 12. Foster Park Intake, 2012
- 21 13. Foster Park Intake, 2013
- 22 14. Foster Park Intake, 2014
- 23 15. Foster Park Intake, 2015
- 24 16. Foster Park Intake, 2016
- 25 17. Foster Park Intake, 2017
- 26 18. Nye Well 7, 2010
- 27 19. Nye Well 7, 2011
- 28 20. Nye Well 7, 2012

- 1 21. Nye Well 7, 2013
- 2 22. Nye Well 7, 2014
- 3 23. Nye Well 7, 2015
- 4 24. Nye Well 7, 2016
- 5 25. Nye Well 7, 2017
- 6 26. Nye Well 8, 2010
- 7 27. Nye Well 8, 2011
- 8 28. Nye Well 8, 2012
- 9 29. Nye Well 8, 2013
- 10 30. Nye Well 8, 2014
- 11 31. Nye Well 8, 2015
- 12 32. Nye Well 8, 2016
- 13 33. Nye Well 8, 2017
- 14 34. Nye Well 11, 2010
- 15 35. Nye Well 11, 2011
- 16 36. Nye Well 11, 2012
- 17 37. Nye Well 11, 2013
- 18 38. Nye Well 11, 2014
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- 20 40. Nye Well 11, 2016
- 21 41. Nye Well 11, 2017

22 B. Steelhead Information

- 23 42. Allen, M. 2008. Steelhead population and habitat assessment in the Ventura
- 24 River/Matilija Creek basin final report;
- 25 43. Allen, M. 2012. Steelhead population assessment in the Ventura River/Matilija
- 26 Creek 2011 data summary;
- 27 44. Becker, G.S., K.M. Smetak, and D.A. Asbury. 2010. Southern steelhead resources
- 28 evaluation: identifying promising locations for steelhead restoration in watersheds

1 south of the Golden Gate. Center for Ecosystem Management and Restoration
2 (CEMAR). Oakland, CA;

3 45. California Department of Fish and Wildlife. 2017. Study plan habitat and instream
4 flow evaluation for steelhead in the Ventura River;

5 46. Entrix 2003. Ventura River watershed technical investigation summary report and
6 recommendations;

7 47. Honea, J.M., J.C. Jorgensen, M.M. McClure, T.D. Cooney, K. Engie, D. Holzer,
8 and R. Hilborn. 2009. Evaluating habitat effects on population status: influence of
9 habitat restoration on spring-run Chinook salmon. *Freshwater Biology*;

10 48. Hopkins Groundwater Consultants. 2013. City of San Buenaventura surface
11 water/groundwater interaction study Foster Park, California;

12 49. Katz, J., P.B. Moyle, R.M. Quinones, J. Israel, and S. Purdy. 2013. Impending
13 extinction of salmon, steelhead, and trout (Salmonidae) in California.
14 *Environmental Biology of Fishes* 96: 10-11;

15 50. Moyle, P.B., J.A. Israel, and S.E. Purdy. 2008. Salmon, steelhead, and trout in
16 California: status of an emblematic fauna. UC Davis Center for Watershed
17 Science;

18 51. National Marine Fisheries Service. 2012. Southern California steelhead recovery
19 plan;

20 52. Pitterle, 2010. Habitat Restoration Opportunities for the Lower Ventura River, for
21 Santa Barbara Channelkeeper, Santa Barbara, CA;

22 53. Thomas R. Payne & Associates. 2004. Assessment of steelhead habitat in the
23 Ventura River/Matilija Creek basin;

24 54. Walter, L. 2015. Ventura River Watershed Management Plan. Prepared for the
25 Ventura River Watershed Council;

26 C. Water Rights Information

27 55. An Act to Incorporate the Town of San Buenaventura [1866 Cal. Stat. 216],
28 3/10/1866;

- 1 56. Certificate of Incorporation of the Santa Ana Water Company, 1/10/1870;
- 2 57. Notice of Appropriation of Santa Ana Water Company for appropriation of 2,000
- 3 inches, 7/27/1872;
- 4 58. Notice of Appropriation of Santa Ana Water Company for appropriation of 500
- 5 inches, 11/25/1873;
- 6 59. Decree in Santa Ana Water Company vs. Ramon G. De La Riva, et al., 1st Judic.
- 7 Dist. of CA, County of Ventura, rendered 3/10/1874;
- 8 60. Notice of appropriation by Messrs. L. D. Chillson and J. Willet for appropriation
- 9 of 1,500 inches, 11/2/1874;
- 10 61. Santa Ana Water Co. v. Town of San Buenaventura, 56 F. 339 (1893);
- 11 62. J.B. Lippincott, "Report upon the Value of the Waterworks Properties of the
- 12 Ventura County Power Company, Ventura, Cal.," 11/12/1914;
- 13 63. Southern California Edison Company Deed to City of San Buenaventura,
- 14 4/28/1923;
- 15 64. Division of Water Resources, Bulletin No. 46 – Ventura County Investigation,
- 16 1933;
- 17 65. Annual Report, Water Department, City of San Buenaventura, Fiscal Year 1940-
- 18 41, 10/25/1941;
- 19 66. State Water Resources Board Bulletin No. 12 – Ventura County Investigation,
- 20 1956;
- 21 67. Harold C. Troxell, Water Resources of Southern California with Special Reference
- 22 to the Drought of 1944-51, U.S. Geological Water-Supply Paper 1366
- 23 (Washington, D.C.: U.S. Government Printing Office, 1957);
- 24 68. EDAW, Inc. Report on the Environmental Impacts of the Proposed Agreement
- 25 Between Casitas and the City for Conjunctive Use of the Ventura River-Casitas
- 26 Reservoir System, 6/78;
- 27 69. EDAW, Inc. Final EIR Ventura River Conjunctive Use Agreement, 10/81;
- 28 70. Regional Water Quality Control Board – Los Angeles Region, State of the

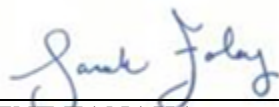
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- Watershed – Report on Surface Water Quality, Ventura River Watershed, 5/02;
- 71. 2011 City of San Buenaventura Water Master Plan;
- 72. Letter from Ventura Water (Epstein) to Water Board re Statement No. S010335, etc., 11/30/11;
- 73. Supplemental Statement of Water Diversion and Use for 2015, 6/30/16 - Annual Notice of GW Extraction and Diversion for 2015, NYE 7, 6/30/16; NYE 8, 6/30/16; NYE 11, 6/30/16;
- 74. 2016 Ventura River Extraction Reports, submitted to SWRCB on 6/29/17;
- 75. 2017 Ventura River Extraction Reports, submitted to SWRCB on 6/25/18;
- 76. 2017 Casitas-City of Ventura Water Services Agreement;
- 77. Nye Well & Ventura River FY and CY Diversion in Acre Feet, from Department of Interior Records, 1965-1975.

City will supplement its disclosure pursuant to section 842(g).

Dated: October 22, 2019

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By: 

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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 October 22, 2019, I served the within document(s):

- CROSS-COMPLAINANT CITY OF SAN BUENAVENTURA'S INITIAL DISCLOSURES
- CROSS-COMPLAINANT CITY OF SAN BUENAVENTURA'S DOCUMENTS PER ITS INITIAL DISCLOSURES - available for download at <https://spaces.hightail.com/receive/13ZdfCL4by> Passcode - !BBKLAW20191022!

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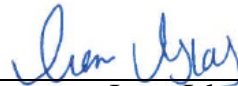
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19 I declare under penalty of perjury under the laws of the State of California that the above
20 is true and correct.

21 Executed on October 22, 2019 at Walnut Creek, California.

23 

24 Irene Islas