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11 Owned Properties; Sharon H. Booth, Trustee of The Survivor's Trust Created Under Declaration
12 of Trust of Richard G. Booth and Sharon H. Booth Dated July 10, 1980; David Robert Hamm;
13 Ojai Oil Company; Ojai Valley School; Reeves Orchard, LLC and Ojai Valley Inn

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

16 **SANTA BARBARA CHANNELKEEPER, a**
17 **California non-profit organization**

18 **Petitioner,**

19 **vs.**

20 **STATE WATER RESOURCES CONTROL**
21 **BOARD, a California State Agency; CITY OF**
22 **SAN BUENAVENTURA, a California**
23 **municipal corporation, incorrectly named as**
24 **CITY OF BUENAVENTURA**

25 **Respondents.**

CASE No. 19STCP01176

[Assigned to Hon. William F Highberger]

SHARON H. BOOTH, TRUSTEE OF THE
SURVIVOR'S TRUST CREATED UNDER
DECLARATION OF TRUST OF
RICHARD G. BOOTH AND SHARON H.
BOOTH DATED JULY 10, 1980's AND
DAVID ROBERT HAMM's INITIAL
DISCLOSURE PURSUANT TO
CALIFORNIA CODE OF CIVIL
PROCEDURE SECTION 842

Action Filed:
Trial Date:

September 19, 2014
None Set

26 **CITY OF SAN BUENAVENTURA, a**
27 **California municipal corporation**

28 **Cross-Complainant**

vs.

DUNCAN ABBOTT, an individual, et al.

Cross-Defendants.

1 Cross-Defendants Sharon H. Booth, Trustee of The Survivor's Trust Created Under
2 Declaration of Trust of Richard G. Booth and Sharon H. Booth Dated July 10, 1980 and David
3 Robert Hamm provide their Initial Disclosure pursuant to California Code of Civil Procedure
4 section 842 as follows:

5 **DISCLOSURE NO. 1:**

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

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

9 Sharon H. Booth, Trustee of The Survivor's Trust Created Under Declaration of Trust of
10 Richard G. Booth and Sharon H. Booth Dated July 10, 1980, Post Office Box 906, Ojai, CA
11 93024, 805-320-3527, slhbooth@aol.com; David Robert Hamm, 2454 Villa Nueva Way
12 Mountain View, CA 94040 – 4457, 650-787-5727, davehamm@captad.com; Attorney: Greg
13 Patterson, Musick, Peeler & Garrett LLP, 2801 Townsgate Road, Suite 200, Westlake Village, CA
14 91361, 805-418-3103, g.patterson@musickpeeler.com.

15 **DISCLOSURE NO. 2:**

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

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

20 As reported to the Ojai Basin Groundwater Management Agency.

21

	Water Usage (ac-ft) CORRECT, reported to OBGMA
2020	42.11
2019	39.60
2018	23.30
2017	26.91

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26 Certain water usage reported to the Ojai Basin Groundwater Management Agency
27 ("OBGMA") was incorrect because the wrong formula was used for years 2007-2016. The data
28 set submitted with this disclosure is correct. The OBGMA was informed of the mistake upon

1 discovery in 2017 and acknowledged the change to the correct formula.

	Water Usage (ac-ft)
2	
3	2016 18.66
4	2015 29.84
5	2014 32.02
6	2013 34.95
7	2012 53.72
8	2011 47.66
9	2010 15.94
10	2009 43.83
11	2008 47.41
12	2007 50.31

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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 Overlying water rights.

18 **DISCLOSURE NO. 4:**

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

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

21 Agriculture.

22 **DISCLOSURE NO. 5:**

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

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

26 355 Carne Road, Ojai, CA, APN 028-0-120-060.

27 **DISCLOSURE NO. 6:**

28 The area in which the groundwater has been used.

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

30 355 Carne Road, Ojai, CA, APN 028-0-120-060.

31 **DISCLOSURE NO. 7:**

32 Any claims for increased or future use of groundwater.

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

2 The following circumstances could increase future groundwater use: filling in of currently
3 empty spaces within the orchard (due to tree death/failure to thrive) with replacement trees;
4 increase in tree density within the existing planting pattern; change to different crop requiring
5 more water due to various potential circumstances that are unknown at this time but could include,
6 for example, inability to grow citrus due to the Asian Citrus Psyllid (ACP) crisis in Ventura
7 County; episodes of drought; continued climate change.

8 **DISCLOSURE NO. 8:**

9 The quantity of any beneficial use of any alternative water use that the party claims as its
10 use of groundwater under any applicable law, including, but not limited to, Section 1005.1,
11 1005.2, or 1005.4 of the Water Code.

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

13 None.

14 **DISCLOSURE NO. 9:**

15 Indemnification of all surface water rights and contracts the party claims provides the basis
16 for its water right claims in the comprehensive adjudication.

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

18 None.

19 **DISCLOSURE NO. 10:**

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

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

26 None.

27 **DISCLOSURE NO. 11:**

28 The names, addresses, telephone numbers, and email addresses of all persons possessing

1 information that supports the party's disclosures.

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

3 Sharon H. Booth, Trustee of The Survivor's Trust Created Under Declaration of Trust of
4 Richard G. Booth and Sharon H. Booth Dated July 10, 1980, Post Office Box 906, Ojai, CA
5 93024, 805-320-3527, slhbooth@aol.com; David Robert Hamm, 2454 Villa Nueva Way,
6 Mountain View, CA 94040 – 4457, 650-787-5727, davehamm@captad.com.

7 **DISCLOSURE NO. 12:**

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

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

10 None.

11 Sharon H. Booth, Trustee of The Survivor's Trust Created Under Declaration of Trust of
12 Richard G. Booth and Sharon H. Booth Dated July 10, 1980 and David Robert Hamm, make this
13 Initial Disclosure based on the information currently available to them. Sharon H. Booth, Trustee
14 of The Survivor's Trust Created Under Declaration of Trust of Richard G. Booth and Sharon H.
15 Booth Dated July 10, 1980 and David Robert Hamm, will amend this disclosure, if necessary,
16 consistent with California Code of Civil Procedure section 842(d) (1-3).

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1 Sharon H. Booth, Trustee of The Survivor's Trust Created Under Declaration of Trust of
2 Richard G. Booth and Sharon H. Booth Dated July 10, 1980 and David Robert Hamm, are serving
3 this Initial Disclosure electronically to all parties to the extent possible pursuant to California
4 Code of Civil Procedure section 842(e).

5
6 DATED: June 14, 2021

MUSICK, PEELER & GARRETT LLP

7
8 By: 

9 Gregory J. Patterson
10 Attorneys for The Thacher School; Friend's
11 Ranches, Inc.; Topa Topa Ranch & Nursery, LLC;
12 Finch Farms, LLC; Red Mountain Land &
13 Farming, LLC; Thacher Creek Citrus, LLC; The
14 Finch Family Trust; James P. Finch; Robert Calder
15 Davis, Jr.; Robert Calder Davis, Jr., TTEE of Trust
16 Owned Properties; Sharon H. Booth, Trustee of
17 The Survivor's Trust Created Under Declaration
18 of Trust of Richard G. Booth and Sharon H. Booth
19 Dated July 10, 1980; David Robert Hamm; Ojai
20 Oil Company; Ojai Valley School; Reeves
21 Orchard, LLC and Ojai Valley Inn
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VERIFICATION

STATE OF CALIFORNIA, COUNTY OF VENTURA

I have read the foregoing SHARON H. BOOTH, TRUSTEE OF THE SURVIVOR'S TRUST CREATED UNDER DECLARATION OF TRUST OF RICHARD G. BOOTH AND SHARON H. BOOTH DATED JULY 10, 1980's AND DAVID ROBERT HAMM's INITIAL DISCLOSURE PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 842 and know its contents.

I, Sharon H. Booth, as Trustee of THE SURVIVOR'S TRUST CREATED UNDER DECLARATION OF TRUST OF RICHARD G. BOOTH AND SHARON H. BOOTH DATED JULY 10, 1980, am authorized to make this verification on behalf of all THE SURVIVOR'S TRUST CREATED UNDER DECLARATION OF TRUST OF RICHARD G. BOOTH AND SHARON H. BOOTH DATED JULY 10, 1980. I am informed and believe, and on that ground allege, that the matters stated in the foregoing document are true.

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

Executed on June 11, 2021 at Ojai, California.

Sharon H. Booth
Print Name of Signatory

Sharon H. Booth
Signature

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF VENTURA

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Ventura, State of California. My business address is 2801 Townsgate Road, Suite 200, Westlake Village, California 91361.

On June 15, 2021, I served true copies of the following document(s) described as **SHARON H. BOOTH, TRUSTEE OF THE SURVIVOR'S TRUST CREATED UNDER DECLARATION OF TRUST OF RICHARD G. BOOTH AND SHARON H. BOOTH DATED JULY 10, 1980's AND DAVID ROBERT HAMM's INITIAL DISCLOSURE PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 842** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

By transmission via E-Service to File & ServExpress: to the person(s) set forth below. Local Rules of Court 2.10(P)

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

Executed on June 15, 2021, at Westlake Village, California.


Heather Silverman

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Carolyn D. Bennett, Trustees of The Bennett Family Trust; Sumeet Bhatia and Michael McDonald; John Joseph Broesamle and Katherine Sue Broesamle, Trustees of The Broesamle Family Trust; Richard Aaron Carlson, Trustee of The Richard Aaron Carlson Trust; Michelle Larson, Trustee of The Michelle Family Trust; Thomas D. Carver and Cynthia L. Carver; Dana Cenicerros, Trustee of The Dana and Dawn Cenicerros Revocable Living Trust; Deborah Lys Martin Crawford; Frank Clay Creasey, Jr.; Debra Joy Reed, Trustee of The Debra Joy Reed Revocable Trust Dated November 3, 1994; Frederic Devault; Diana Syvertson, Trustee of The Diana Syvertson Living Trust; Dive Deep, LLC; Douglas Roy Parent and Ann Marie Parent; William Erickson; Gelb Enterprises, L.P.; Jan Stephen Grande and Priscilla K. Grande, Trustees of The Grande Family Revocable Living Trust; Margaret J. Griswold; Brian C. Haase and Marie Haase, Trustees of The B&M Haase Trust Dated October 8, 2019; Thomas Lann Harper and Jadona Collier-Harper; Ojai-Jackman L.L.C.; Kevin Rainwater and Marianne Ratcliff; Keith M. Nightingale and Victoria V. Nightingale, Trustees of The Nightingale Family Trust; Heide C. Kurtz, Trustee of The Kurtz Family Trust Dated January 19, 2019; Randall Leavitt, Trustee of The Randall B. Leavitt 2010 Trust; Edward C. Leicht and Jacqueline M. Leicht, Trustees of The Leicht Family 2013 Revocable Trust Dated March 1, 2013; Paul Lepiane and Bengston Bo; Robert Levin and Lisa Solinas, Trustees of The Levin Family Living Trust; Francis Longstaff and Shauna Longstaff, Trustees of The Longstaff Trust Dated October 11, 2018; Mandy Macaluso, Trustee of The Living Trust of Mandy Macaluso; Marilyn Wallace, Trustee of The Marilyn Wallace Separate Property Trust; Daniel J. McSweeny and Yoko McSweeney; Wendell M. Mortensen and Laura L. Mortensen, Trustees of The Mortensen Family Revocable Trust; Timothy Jerome Murch and Jody Caren Murch, Trustees of The Jodim Family 2007 Trust Dated July 31, 2007; Chris E. Platt and Hanh H. Platt; Robert Erickson, Trustee and Ronald Wilson; Michael D. Robertson and Kimberly A. Robertson, Trustees of The Robertson Family Trust; James P. Robie, Trustee of The Robie Family Trust;

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Petter Romming and Kimi Romming, Trustees; Marc Saleh, Trustee of The Saleh Family Trust; Konrad Stefan Sonnenfeld, Trustee of The Konrad Stefan Sonnenfeld Living Trust; Mark Sutherland, Trustee of The Sutherland Marital Trust; John H. Thacher and Caroline H. Thacher, Trustees of The Thacher Family Trust Dated January 2004; Gilbert G. Vondriska and Carolyn J. Vondriska, Trustees of The Vondriska Living Trust; William D. Rusin, Sr., Trustee of The William D. Rusin, Sr. Revocable Trust; and Oscar D. Acosta, Trustee of The Acosta Trust

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