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12 Attorneys for Cross-Defendants Ventura  
County Watershed Protection District and  
13 County of Ventura

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

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

18 Petitioner,

19 v.

20 STATE WATER RESOURCES CONTROL  
BOARD, a California State Agency, et al.,

21 Respondents.

Case No. 19STCP01176

Hon. William. F. Highberger

**CROSS-DEFENDANT COUNTY OF  
VENTURA'S INITIAL DISCLOSURES**

**(CIVIL PROCEDURE CODE § 842)**

Action Filed: September 19, 2014

Trial Date: Not Set

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.

1 Cross-Defendant County of Ventura hereby submits the following initial  
2 disclosures under section 842 of the Code of Civil Procedure. County of Ventura  
3 reserves the right to supplement its disclosures in accordance with section 842 of the  
4 Code of Civil Procedure.

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

- 7
  - 8 County of Ventura Parks Department  
9 11201 Riverbank Drive, A1  
10 Ventura, California 93004  
11 805-654-3951  
12 Colter.Chisum@ventura.org

13 County of Ventura is represented in this lawsuit by counsel:

- 14
  - 15 Hanson Bridgett, LLP  
16 Michael J. Van Zandt  
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24 sherman@hansonbridgett.com

25 **2. The quantity of any groundwater extracted from the basin by the party**  
26 **and the method of measurement used by the party or the party's predecessor in**  
27 **interest for each of the previous 10 years preceding the filing of the complaint.**

28 County of Ventura through the Parks Department extracts groundwater for use on  
the Soule Park Golf Course through State Well numbers 04N22W07D04S,  
04N22W07C06S, and 04N22W07C05S. The amount extracted is as follows:

Year	Amount of Groundwater Extracted:	Method of Measurement:
2018	172 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered
2017	207 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered

Year	Amount of Groundwater Extracted:	Method of Measurement:
2016	113 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered
2015	139 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered
2014	210 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered
2013	270 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered
2012	205 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered
2011	208 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered
2010	65 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered
2009	178 ac-ft	Groundwater Extraction Statement from Ojai Basin Groundwater Management Agency – Metered

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

County of Ventura asserts overlying water rights (see *Barrett v. County of Ventura*, Sup. Ct. of the County of Ventura County, Case No. 51216, January 14, 1970) (A copy of the *Barrett* judgment is attached hereto as Attachment A). County of Ventura also asserts a right to use groundwater under the self-help doctrine, if prescriptive rights to groundwater are claimed.

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

County of Ventura extracts and uses groundwater for irrigation at the Soule Park

1 Golf Course.

2 **5. The location of each well or other source through which groundwater**  
3 **has been extracted.**

4 County of Ventura through the Parks Department extracts groundwater at State  
5 Well numbers 04N22W07D04S, 04N22W07C06S, and 04N22W07C05S at the Soule  
6 Park Golf Course at 1033 E Ojai Ave, Ojai, California 93023.

7 **6. The area in which the groundwater has been used.**

8 County of Ventura through the Parks Department extracts groundwater for use on  
9 the Soule Park Golf Course at 1033 E Ojai Ave, Ojai, California 93023.

10 **7. Any claims for increased or future use of groundwater.**

11 County of Ventura reserves the right to extract groundwater up to 350 acre feet  
12 per year pursuant to the judgment in *Barrett v. County of Ventura*, Sup. Ct. of the County  
13 of Ventura County, Case No. 51216, January 14, 1970.

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

17 County of Ventura, by way of a Soule Park Golf Course lease operator, uses  
18 potable water provided by Casitas Municipal Water District to supplement well projection  
19 shortages primarily in the summer months. Supplemented use of potable water for golf  
20 course irrigation averaged 104.67 acre-feet from 2005 through 2016. Annual averages for  
21 2017 through 2019 were 96.54 acre-feet, 149.52 acre-feet, and 61.07 acre-feet  
22 respectively. County of Ventura reserves the right to supplement its initial disclosures  
23 with additional information regarding alternative water use.

24 **9. Identification of all surface water rights and contracts that the party**  
25 **claims provides the basis for its water right claims in the comprehensive**  
26 **adjudication.**

27 County of Ventura through the Parks Department does not claim any surface  
28 water rights. The Parks Department has an allocation for access to approximately 121

1 acre feet of water per year from the Casitas Municipal Water District.

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

9           Not applicable. Ventura County reserves the right to supplement its initial  
10 disclosures with additional information regarding replenishment.

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

13           The following persons possess or may possess information supporting the  
14 Watershed Protection District's disclosures:

15           1. J. Colter Chisum, P.E.  
16           Ventura County GSA Deputy Director - Parks  
17           11201 Riverbank Drive, Suite A1  
18           Ventura, California 93004  
19           805-654-3945  
20           [Colter.Chisum@ventura.org](mailto:Colter.Chisum@ventura.org)  
21           May be contacted through counsel

22           2. Keith L. Brown, President  
23           Golf Ojai LLC  
24           1033 E. Ojai Avenue  
25           Ojai, California 94708  
26           (805) 646-5633  
27           [Klbrown0130@gmail.com](mailto:Klbrown0130@gmail.com)

28           **12. Any other facts that tend to prove the party's claimed water right.**

          The right for the County of Ventura to extract and use groundwater on the property  
at the Soule Park Gould Course was subject to a judgment in the case *Barrett v. County*  
*of Ventura*, Sup. Ct. of the County of Ventura County, Case No. 51216, January 14, 1970  
(See Attachment A). The County of Ventura reserves the right to supplement this

1 disclosure. (Code Civ. Proc. § 842(d)(1).)

2

3 DATED: June 1, 2021

HANSON BRIDGETT LLP

4

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By: 

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MICHAEL J. VAN ZANDT

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NATHAN A. METCALF

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SEAN G. HERMAN

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Attorneys for Cross-Defendants Ventura  
County Watershed Protection District and  
County of Ventura

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3 **VERIFICATION**

4 I, J. Colter Chisum, am the Ventura County GSA Deputy Director - Parks. I am  
5 authorized to make this verification on behalf of the County of Ventura. I have read the  
6 County of Ventura's Section 842 Initial Disclosures and know its contents. I am informed  
7 and believe and on that ground allege that the matters stated in the Section 842 Initial  
8 Disclosures are true, except as to those matters which are therein stated on information  
9 and belief, and as to those matters that I believe them to be true.

10 I declare under penalty of perjury under the laws of the State of California that the  
11 foregoing is true and correct. Executed this 1<sup>st</sup> day of June, 2021, in  
Ventura, California.

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14 J. Colter Chisum

**ATTACHMENT A**

**ATTACHMENT A**



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**FILED**  
JAN 14 1970  
ROBERT L. HAMILTON, County Clerk  
By *[Signature]*  
Deputy County Clerk

ENTERED ON JAN 14 1970  
BOOK 80 OF JUDGMENTS, PAGE 282

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF VENTURA

CHARLES R. BARRETT, et al.,  
Plaintiffs,  
vs.  
COUNTY OF VENTURA,  
Defendant.

NO. 51216  
JUDGMENT

Pursuant to stipulation between plaintiffs, for themselves and on behalf of all other persons similarly situated, and defendant, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The preliminary injunction entered in this action is dissolved, and the bond therefor is exonerated.
2. The County may pump from a well or wells on land acquired by it from Zaidee Soule, 350 acre feet of water per year from the Ojai Basin for beneficial use on its property overlying the Basin, when the water level is above the cutoff level as determined by the principles set forth herein.
3. The County may initially set the bowls for its well or wells down to 620 feet above mean sea level. When a pump breaks suction, if the static level is above 640 feet above mean sea level, the County may lower the bowls by a distance not exceeding the difference between the static level and 640 feet above mean

1 sea level. When lowering the bowls pursuant to this paragraph,  
2 the County shall notify plaintiff Charles R. Barrett or his  
3 nominee and permit a reasonable opportunity to observe the static  
4 water level in the well. This procedure may be repeated until the  
5 dynamic cutoff level corresponds to the static cutoff level.

6 4. Once the bowls have been set by experimentation at the  
7 proper dynamic cutoff level, then the County shall cease pumping  
8 when the pump breaks suction, until the water level recovers to  
9 the static cutoff level.

10 5. If at any time, based on cutoff levels complied with up  
11 to that time, the County has been unable to pump its water re-  
12 quirement in more than four years out of a period of any eighteen  
13 or fewer years, the County may immediately lower the static and  
14 dynamic cutoff levels, and bowl settings, to such lower level as  
15 it then appears would have permitted and will permit the County  
16 to pump its water requirements seven out of nine years. When ad-  
17 justing the levels pursuant to this paragraph, the County shall  
18 notify plaintiff Charles R. Barrett or his nominee, permit a rea-  
19 sonable opportunity to observe the static water level in the well,  
20 permit a reasonable opportunity to examine the County's records  
21 of water levels in the well and of water secured from other  
22 sources, and furnish computations showing where the dynamic level  
23 should be set. The years referred to commence July 1, 1970.

24 6. In the event all rights to pump water from the Ojai Basin  
25 are adjudicated, then in such litigation, as against all other  
26 parties, the rights of the County under this judgment shall be a  
27 gross right to pump 350 acre feet of water per year from the Ojai  
28 Basin for beneficial use on its overlying land, with no right to  
29 take water when the water level in the Ojai Basin is below the  
30 cutoff level as determined under this judgment. Such right shall  
31 be the gross right, subject to proportionate reduction in accor-  
32 dance with the principles of water law applicable to basin

1 litigation, but with the County's gross right being reduced no  
2 more in proportion than the reduction of rights of each other  
3 user.

4  
5 Dated January 19, 1970

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8 Judge of the Superior Court

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