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CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

SEP 05 2019

Sherri R. Carter, Executive Officer/Clerk of Court
By: Isaac Lovo, Deputy

7 SHAWN HAGERTY, Bar No. 182435
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8 Best Best & Krieger LLP
655 West Broadway, 15th Floor
9 San Diego, California 92101
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

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

16 Petitioner,

17 v.

18 STATE WATER RESOURCES
19 CONTROL BOARD, a California State
Agency; et al.,

20 Respondents.

Case No. 19STCP01176
Judge: Honorable William F. Highberger

DECLARATION OF SARAH CHRISTOPHER
FOLEY IN SUPPORT OF RESPONDENT
AND CROSS-COMPLAINANT CITY OF
SAN BUENAVENTURA'S MOTION FOR
APPROVAL OF NOTICE AND FORM
ANSWER

- [Filed with:
1. Not. of Mot. and Mot. for App. of Not.
and Form Answer;
2. [Proposed] Order]

Date: October 2, 2019
Time: 10:00 a.m.
Dept: 10

Action Filed: September 19, 2014
Trial Date: Not Set

23 CITY OF SAN BUENAVENTURA, a
California municipal corporation,

24 Cross-Complainant,

25 v.

26 DUNCAN ABBOTT, an individual; et al.

27 Cross-Defendants.
28

1 DECLARATION OF SARAH CHRISTOPHER FOLEY

2
3 I, Sarah Christopher Foley, declare as follows:

4
5 1. I am an attorney at law licensed to practice before all courts in the State of
6 California. I am an associate with the law firm Best Best & Krieger, counsel of record for
7 Respondent and Cross-Complainant City of San Buenaventura (“City”) in the above- captioned
8 action. I have personal knowledge of the facts set forth below, and, if called upon to testify about
9 them, I could and would do so competently.

10
11 2. A true and correct copy of a notice of commencement of groundwater adjudication
12 (“Notice”) and a form answer (“Form Answer”) to City’s Second Amended Cross-Complaint
13 (“Cross-Complaint”) for which City seeks the Court’s approval, are attached as Exhibit A.

14
15 3. A true and correct copy of a draft notice of commencement of groundwater
16 adjudication and a draft form answer to City’s Cross-Complaint that City originally lodged with
17 the San Francisco Superior Court when it filed its Second Amended Cross Complaint on
18 September 24, 2018 are attached as Exhibit B.

19
20 4. City modified the draft Notice that it originally lodged to add this Court’s
21 information and the time to respond to City’s Cross-Complaint consistent the Order issued by
22 Judge Karnow, dated November 15, 2018. The Notice also includes information clarifying that
23 City’s Cross-Complaint seeks an adjudication of the entire Ventura River Watershed, including
24 the Ventura Groundwater Basins.

25
26 5. City modified the draft Form Answer to add this Court’s information and include
27 additional identifying information to be filled out by each cross-defendant, which will facilitate
28 case and party management.


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6. City's Notice and Form Answer include the required language and form specified by California Code of Civil Procedure section 836(a).

7. Before it was transferred to the present Court, this case was designated complex and assigned to Judge Karnow of the San Francisco Superior Court, Complex Division on November 13, 2018. Accordingly, City previously filed a motion for approval of its notice of adjudication and form answer on December 10, 2018. The parties subsequently jointly stipulated to transfer this matter to Los Angeles, and City took its motion off calendar.

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

Executed on September 5, 2019 in New Orleans, Louisiana.



SARAH CHRISTOPHER FOLEY

EXHIBIT A

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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;
CITY OF SAN BUENAVENTURA, a
California municipal corporation,
incorrectly named as CITY OF
BUENAVENTURA,

Respondents.

Case No. 19STCP01176
Judge: Honorable William F. Highberger

FORM ANSWER

Action Filed: Sept. 19, 2014
FAC Filed: Sept. 7, 2018
Trial Date: Not Set

CITY OF SAN BUENAVENTURA, a
California municipal corporation,

Cross-Complainant

v.

DUNCAN ABBOTT, an individual, et al.

Cross-Defendants.

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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

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

1 Attorney Information (if applicable):

2 _____
3 Company/Firm Name

4 _____
5 Attorney Name

6 _____
7 Street Address

8 _____
9 City

10 _____
11 State, Zip Code

12 _____
13 Phone Number

14 _____
15 Fax Number

16 _____
17 Email Address

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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;
CITY OF SAN BUENAVENTURA, a
California municipal corporation,
incorrectly named as CITY OF
BUENAVENTURA,

Respondents.

Case No. 19STCP01176
Judge: Honorable William F. Highberger

NOTICE OF COMMENCEMENT OF
GROUNDWATER BASIN AND
WATERSHED ADJUDICATION

CMC: Nov. 1, 2019
Time: 1:30 p.m.
Dept: 10

Action Filed: Sept. 19, 2014
FAC Filed: Sept. 7, 2018
Trial Date: Not Set

CITY OF SAN BUENAVENTURA, a
California municipal corporation,

Cross-Complainant

v.

DUNCAN ABBOTT, an individual, et al.

Cross-Defendants.

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**NOTICE OF COMMENCEMENT OF
GROUNDWATER BASIN AND
WATERSHED ADJUDICATION**

THIS NOTICE IS IMPORTANT. ANY RIGHTS YOU CLAIM TO PUMP OR STORE GROUNDWATER FROM THE BASINS IDENTIFIED IN THIS NOTICE AND/OR ANY RIGHTS YOU CLAIM TO DIVERT OR STORE SURFACE WATER FROM THE VENTURA RIVER WATERSHED MAY BE AFFECTED BY A LAWSUIT INITIATED BY THE CROSS-COMPLAINT SUMMARIZED BELOW.

A copy of the 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, and/or if you claim rights to divert or store surface water from the Ventura River Watershed, 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 in this notice.

Failing to participate in this lawsuit could have a significant adverse effect on any right to pump or store groundwater and/or divert or store surface water that you may have. You may seek the advice of an attorney in relation to this lawsuit. Such attorney should be consulted promptly. A case management conference in this groundwater basin adjudication proceeding shall occur on the date specified in this notice. If you intend to participate in the groundwater adjudication proceeding to which this notice applies, you are advised to attend the initial case management

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

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

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

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

16
17 (i) Name 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 44-3.01); 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

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

3
4 (ii) Case No. 19STCP01176, Los Angeles County Superior Court,
5 Complex Civil Litigation Division, Department No. 010, Judge William F.
6 Highberger presiding, located at 312 North Spring Street, Los Angeles,
7 California 90012.

8
9 (iii) Cross-Complainant's counsel may be contacted at the following
10 mailing address, telephone number, and email address:

11 Gene Tanaka
12 Dakotah Benjamin
13 Best Best & Krieger LLP
14 2001 N. Main Street, Suite 390
15 Walnut Creek, California 94596
16 Telephone: 925.977.3300
17 gene.tanaka@bbklaw.com
18 dakotah.benjamin@bbklaw.com

19 Shawn Hagerty
20 Best Best & Krieger LLP
21 655 West Broadway, 15th Floor
22 San Diego, California 92101
23 Telephone: 619.525.1300
24 shawn.hagerty@bbklaw.com

25 Sarah Christopher Foley
26 Best Best & Krieger LLP
27 300 South Grand Ave., 25th Floor
28 Los Angeles, CA 90071
Telephone: 213.787.2560
sarah.foley@bbklaw.com

(iv) The Cross-Complaint initiating this action for a comprehensive adjudication of the Ventura River Watershed including the Ventura River Watershed Groundwater Basins alleges nine claims for relief: (1) preliminary and permanent injunction reducing Cross-Defendants' use of surface and/or subsurface water and groundwater affecting the surface and/or subsurface flow of the Ventura River to a

1 level of reasonable and beneficial use under California Constitution Article X,
2 Section 2; (2) preliminary and permanent injunction reducing Cross-Defendants'
3 use of surface and/or subsurface water and groundwater affecting the surface
4 and/or subsurface flow of the Ventura River to a level of reasonable and beneficial
5 use and a level that protects public trust resources under the public trust doctrine;
6 (3) declaratory relief for pueblo and/or treaty water rights; (4) declaratory relief for
7 prescriptive water rights; (5) declaratory relief for appropriative water rights; (6)
8 comprehensive adjudication and physical solution; (7) declaratory relief for
9 municipal priority; (8) declaratory relief for the human right to water; and (9)
10 declaratory relief regarding the Cross-Complainant's use of surface and/or
11 subsurface water and groundwater affecting the Ventura River Watershed and
12 declaratory relief that Cross-Defendants' water uses are not reasonable or
13 beneficial and violate the public trust doctrine.

14
15 (v) Date by which persons receiving the notice must appear in the
16 comprehensive adjudication: sixty (60) days after receiving this notice and
17 concurrently served form answer, pursuant to the Order issued in this case by Judge
18 Karnow, dated November 15, 2018.

EXHIBIT B

1 GENE TANAKA, Bar No. 101423
gene.tanaka@bbklaw.com
2 SARAH CHRISTOPHER FOLEY, Bar No. 277223
sarah.foley@bbklaw.com
3 DAKOTAH BENJAMIN, Bar No. 316446
dakotah.benjamin@bbklaw.com
4 Best Best & Krieger LLP
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Telephone: 925.977.3300
6 Facsimile: 925.977.1870

7 SHAWN HAGERTY, Bar No. 182435
shawn.hagerty@bbklaw.com
8 Best Best & Krieger LLP
655 West Broadway, 15th Floor
9 San Diego, California 92101
Telephone: 619.525.1300
10 Facsimile: 619.233.6118

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

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF SAN FRANCISCO

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

Case No. CPF-14-513875

17 Petitioner,

18 v.

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

23 Respondents.

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

26 Cross-Complainant

27 v.

28 DUNCAN ABBOTT, an individual;

1 AGR BREEDING, INC., a California
corporation;
2 ASQUITH FAMILY LIMITED
PARTNERSHIP, LTD., a California
3 Corporation;
4 TROY BECKER, an individual;
5 BENTLEY FAMILY LIMITED
PARTNERSHIP, a California corporation;
6 ROBIN BERNHOFT, an individual;
7 DEWAYNE BOCCALI, an individual;
8 JANET BOULTON, an individual;
9 MICHAEL BOULTON, an individual;
10 DWAYNE BOWER, an individual;
11 BURGESS RANCH, a California
corporation;
12 MICHAEL CALDWELL, an individual;
13 CASITAS MUNICIPAL WATER
DISTRICT, a California special district;
14 CASITAS MUTUAL WATER
COMPANY, a California corporation;
15 PETER CHENEY, an individual;
16 CHARLES CHO, an individual;
17 JOE CLARK, an individual;
18 KEVIN CLARK, and individual;
19 LISA CLARK, an individual;
20 REBECCA COLLINS, an individual
THOMAS COLLINS, an individual
21 MICHAEL CROMER, an individual;
22 ROBERT C. DAVIS, JR., an individual;
23 BOYD DRON, an individual;
24 LINDA EPSTEIN, an individual;
25 ESSICK FARM MANAGEMENT
COMPANY, LLC, a California
26 Corporation;
27 ETCHART RANCH, a California
corporation;
28 JAMES FINCH, an individual;
FLYING H RANCH, INC., a California
Corporation;
ERNEST FORD, an individual;
WAYNE FRANCIS, an individual;
FRIEND'S RANCHES, INC., a California
corporation;
JOHN GALASKA, an individual;
RICHARD GILLELAND, an individual;
JURGEN GRAMCKOW, an individual;
GRIDLEY ROAD WATER GROUP, a
California corporation;
STEPHANIE GUSTAFSON, an
individual;
LAWRENCE HARTMANN, an
individual;
HIXON TRUST, et al., a California Trust;
HERMITAGE MUTUAL WATER
COMPANY, a California corporation;

1 DOROTHY HOMES, an individual;
STEPHEN HUYLER, an individual;
2 J&G TRUST, a California trust;
CHERYL JENSEN, an individual;
3 BRETT KANTROWITZ, an individual;
DENISE KANTROWITZ, an individual;
4 JERRY KENTON, an individual;
OLE KONIG, an individual;
5 KROTONA INSTITUTE OF
THEOSOPHY, a section 501(c)(3)
6 California non-profit corporation;
TIM KROUT, an individual;
7 BETINA LA PLANTE, and individual;
RICHARD LA PLANTE, an individual;
8 LUTHERAN CHURCH OF THE HOLY
CROSS OF OJAI, a California Non-profit
9 Corporation;
SCOTT LUTTENBERG, an individual;
10 JEFFREY LUTTRULL, an individual;
ROBERT MARTIN, an individual;
11 MAYNARD FAMILY TRUST, a
California Family trust;
12 STEPHEN MCLAUGHLIN, an individual;
MEINERS OAKS WATER DISTRICT, a
13 California special district;
FREDRICK MENNINGER; an individual;
14 MARGARET MENNINGER; an
individual;
15 MERCER FAMILY TRUST, a California
trust;
16 EDWARD K. MERCER, an individual;
STEPHEN MITCHELL, an individual;
17 DAVE MOLLAN, an individual;
BILL MOSES, an individual;
18 ALICE NEWSOM, an individual;
NORTH FORK SPRINGS MUTUAL
19 WATER COMPANY, a California
corporation;
20 OJAI WATER CONSERVATION
DISTRICT, a California special district;
21 OLD CREEK ROAD MUTUAL WATER
COMPANY, a California corporation;
22 RANCHO DE CIELO MUTUAL WATER
COMPANY, a California corporation;
23 RANCHO MATILJA MUTUAL WATER
COMPANY, a California corporation;
24 SHLOMO RAZ, an individual;
SYLVIA RAZ, an individual;
25 RED ROCK RANCH PROPERTIES,
LLC, a California corporation;
26 RINCON WATER AND ROAD WORKS,
a California corporation;
27 CHARLES RUDD, an individual;
WILLIAM RUSIN, an individual;
28 MARK SALEH, an individual;

1 SENIOR CANYON MUTUAL WATER
2 COMPANY, a California corporation;
3 SIETE ROBLES MUTUAL WATER
4 COMPANY, a California corporation;
5 SIMS FAMILY TRUST, a California trust;
6 SISAR MUTUAL WATER COMPANY, a
7 California corporation;
8 SOULE PARK GOLF COURSE, LTD., a
9 California Corporation;
10 ST. JOSEPH'S ASSOCIATES OF OJAI,
11 CALIFORNIA, INC., a California
12 corporation;
13 ANDREW STASSE , an individual;
14 GEORGE S. STUART, an individual;
15 JOHN TAFT, an individual;
16 TELOS, LLC, a California Corporation;
17 THACHER CREEK CITRUS, LLC, a
18 California Corporation;
19 THE THACHER SCHOOL, a California
20 non-profit organization;
21 TICO MUTUAL WATER COMPANY, a
22 California corporation;
23 VICTOR TIMAR, an individual;
24 TOPA TOPA RANCH COMPANY, LLC,
25 a California corporation;
26 LOU TOMESSETTA, an individual;
27 JOHN TOWN, an individual;
28 TRUDIE TOWN, an individual;
ERNESTO VEGA, an individual;
VENTURA COUNTY WATERSHED
PROTECTION DISTRICT, a California
special district;
VENTURA RIVER WATER DISTRICT, a
California special district;
WOOD-CLAEYSSSENS FOUNDATION, a
section 501(c)(3) exempt private
foundation;
CALVIN ZARA, an individual; and
DOES 1-1,000,

Cross-Defendants.

NOTICE OF COMMENCEMENT OF GROUNDWATER BASIN ADJUDICATION

THIS NOTICE IS IMPORTANT. ANY RIGHTS YOU CLAIM TO PUMP OR STORE GROUNDWATER FROM THE BASINS IDENTIFIED IN THIS NOTICE MAY BE AFFECTED BY A LAWSUIT INITIATED BY THE CROSS-COMPLAINT SUMMARIZED BELOW.

1 A copy of the Cross-Complaint may be obtained by contacting Cross-
2 Complainant's attorney identified in this notice. If you claim rights to pump or store
3 groundwater within the basins identified herein, and/or if you claim rights to divert or
4 store surface water from the Ventura River Watershed, either now or in the future, you
5 may become a party to this lawsuit by filing an answer to the lawsuit on or before the
6 deadline specified in this notice. You may file an answer by completing the attached
7 form answer, filing it with the court indicated in this notice, and sending a copy of the
8 form answer to the Cross-Complainant's attorney identified in this notice.

9
10 Failing to participate in this lawsuit could have a significant adverse effect on
11 any right to pump or store groundwater and/or divert or store surface water that you
12 may have. You may seek the advice of an attorney in relation to this lawsuit. Such
13 attorney should be consulted promptly. A case management conference in this
14 groundwater basin adjudication proceeding shall occur on the date specified in this
15 notice. If you intend to participate in the groundwater adjudication proceeding to
16 which this notice applies, you are advised to attend the initial case management
17 conference in person or have an attorney represent you at the initial case management
18 conference.

19
20 Participation requires the production of all information regarding your
21 groundwater and/or surface water use. You must provide this information by
22 the date identified in this notice.

23
24 A form answer is provided for your convenience. You may fill out the form
25 answer and file it with the court. Should you choose to file the form answer, it will
26 serve as an answer to all complaints and cross-complaints filed in this case.

27 The following information is provided pursuant to Code of Civil
28 Procedure section 836(a)(1)(B):

- 1 (i) Name of Basins:
2 a. Upper Ventura River Groundwater Basin (Department of Water
3 Resources’ (“DWR”) Bulletin 118 Groundwater Basin Number
4 4-3.01);
5 b. Ojai Valley Groundwater Basin (DWR’s Bulletin 118
6 Groundwater Basin Number 4-2);
7 c. Lower Ventura River Groundwater Basin (DWR’s Bulletin 118
8 Groundwater Basin Number 44-3.01); and
9 d. Upper Ojai Valley Groundwater Basin (DWR’s Bulletin 118
10 Groundwater Basin Number 4-1)
11 (collectively “Ventura River Watershed Groundwater Basins”). A map of each of
12 the Ventura River Watershed Groundwater Basins is available at
13 <https://gis.water.ca.gov/app/bbat/>.

14
15 (ii) Case No. CPF-14-513875, San Francisco County Superior Court,
16 Civil Division, Department No. 302, address 400 McAllister St., San Francisco,
17 California 94102.

18
19 (iii) Cross-Complainant’s counsel may be contacted at the following
20 mailing address, telephone number, and email address:

21 Gene Tanaka
22 Dakotah Benjamin
23 Best Best & Krieger LLP
24 2001 N. Main Street, Suite 390
25 Walnut Creek, California 94596
26 Telephone: 925.977.3300
27 gene.tanaka@bbklaw.com
28 dakotah.benjamin@bbklaw.com

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3 Telephone: 619.525.1300
shawn.hagerty@bbklaw.com

4 Sarah Christopher Foley
Best Best & Krieger LLP
5 300 South Grand Ave., 25th Floor
Los Angeles, CA 90071
6 Telephone: 213.787.2560
7 sarah.foley@bbklaw.com

8
9 (iv) The Cross-Complaint initiating this action for a comprehensive
10 adjudication of the Ventura River Watershed including the Ventura River Watershed
11 Groundwater Basins alleges nine claims for relief: (1) preliminary and permanent
12 injunction reducing Cross-Defendants' use of surface and/or subsurface water and
13 groundwater affecting the surface and/or subsurface flow of the Ventura River to a
14 level of reasonable and beneficial use under California Constitution Article X,
15 Section 2; (2) preliminary and permanent injunction reducing Cross-Defendants'
16 use of surface and/or subsurface water and groundwater affecting the surface
17 and/or subsurface flow of the Ventura River to a level of reasonable and beneficial
18 use and a level that protects public trust resources under the public trust doctrine;
19 (3) declaratory relief for pueblo and/or treaty water rights; (4) declaratory relief for
20 prescriptive water rights; (5) declaratory relief for appropriative water rights; (6)
21 comprehensive adjudication and physical solution; (7) declaratory relief for
22 municipal priority; (8) declaratory relief for the human right to water; and (9)
23 declaratory relief regarding the Cross-Complainant's use of surface and/or
24 subsurface water and groundwater affecting the Ventura River Watershed and
25 declaratory relief that Cross-Defendants' water uses are not reasonable or
26 beneficial and violate the public trust doctrine.

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

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(v) Date by which persons receiving the notice must appear in the comprehensive adjudication: thirty (30) days after receiving this notice.

1 GENE TANAKA, Bar No. 101423
gene.tanaka@bbklaw.com
2 SARAH CHRISTOPHER FOLEY, Bar No. 277223
sarah.foley@bbklaw.com
3 DAKOTAH BENJAMIN, Bar No. 316446
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4 Best Best & Krieger LLP
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5 Walnut Creek, California 94596
Telephone: 925.977.3300
6 Facsimile: 925.977.1870

7 SHAWN HAGERTY, Bar No. 182435
shawn.hagerty@bbklaw.com
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655 West Broadway, 15th Floor
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Telephone: 619.525.1300
10 Facsimile: 619.233.6118

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

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF SAN FRANCISCO

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

Case No. CPF-14-513875

17 Petitioner,

18 v.

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

23 Respondents.

24 CITY OF SAN BUENAVENTURA, a
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27 v.

28 DUNCAN ABBOTT, an individual;

1 AGR BREEDING, INC., a California
corporation;
2 ASQUITH FAMILY LIMITED
PARTNERSHIP, LTD., a California
3 Corporation;
TROY BECKER, an individual;
4 BENTLEY FAMILY LIMITED
PARTNERSHIP, a California corporation;
5 ROBIN BERNHOFT, an individual;
DEWAYNE BOCCALI, an individual;
6 JANET BOULTON, an individual;
MICHAEL BOULTON, an individual;
7 DWAYNE BOWER, an individual;
BURGESS RANCH, a California
8 corporation;
MICHAEL CALDWELL, an individual;
9 CASITAS MUNICIPAL WATER
DISTRICT, a California special district;
10 CASITAS MUTUAL WATER
COMPANY, a California corporation;
11 PETER CHENEY, an individual;
CHARLES CHO, an individual;
12 JOE CLARK, an individual;
KEVIN CLARK, and individual;
13 LISA CLARK, an individual;
REBECCA COLLINS, an individual
14 THOMAS COLLINS, an individual
MICHAEL CROMER, an individual;
15 ROBERT C. DAVIS, JR., an individual;
BOYD DRON, an individual;
16 LINDA EPSTEIN, an individual;
ESSICK FARM MANAGEMENT
17 COMPANY, LLC, a California
Corporation;
18 ETCHART RANCH, a California
corporation;
19 JAMES FINCH, an individual;
FLYING H RANCH, INC., a California
20 Corporation;
ERNEST FORD, an individual;
21 WAYNE FRANCIS, an individual;
FRIEND'S RANCHES, INC., a California
22 corporation;
JOHN GALASKA, an individual;
23 RICHARD GILLELAND, an individual;
JURGEN GRAMCKOW, an individual;
24 GRIDLEY ROAD WATER GROUP, a
California corporation;
25 STEPHANIE GUSTAFSON, an
individual;
26 LAWRENCE HARTMANN, an
individual;
27 HIXON TRUST, et al., a California Trust;
HERMITAGE MUTUAL WATER
28 COMPANY, a California corporation;

1 DOROTHY HOMES, an individual;
STEPHEN HUYLER, an individual;
2 J&G TRUST, a California trust;
CHERYL JENSEN, an individual;
3 BRETT KANTROWITZ, an individual;
DENISE KANTROWITZ, an individual;
4 JERRY KENTON, an individual;
OLE KONIG, an individual;
5 KROTONA INSTITUTE OF
THEOSOPHY, a section 501(c)(3)
6 California non-profit corporation;
TIM KROUT, an individual;
7 BETINA LA PLANTE, and individual;
RICHARD LA PLANTE, an individual;
8 LUTHERAN CHURCH OF THE HOLY
CROSS OF OJAI, a California Non-profit
9 Corporation;
SCOTT LUTTENBERG, an individual;
10 JEFFREY LUTTRULL, an individual;
ROBERT MARTIN, an individual;
11 MAYNARD FAMILY TRUST, a
California Family trust;
12 STEPHEN MCLAUGHLIN, an individual;
MEINERS OAKS WATER DISTRICT, a
13 California special district;
FREDRICK MENNINGER; an individual;
14 MARGARET MENNINGER; an
individual;
15 MERCER FAMILY TRUST, a California
trust;
16 EDWARD K. MERCER, an individual;
STEPHEN MITCHELL, an individual;
17 DAVE MOLLAN, an individual;
BILL MOSES, an individual;
18 ALICE NEWSOM, an individual;
NORTH FORK SPRINGS MUTUAL
19 WATER COMPANY, a California
corporation;
20 OJAI WATER CONSERVATION
DISTRICT, a California special district;
21 OLD CREEK ROAD MUTUAL WATER
COMPANY, a California corporation;
22 RANCHO DE CIELO MUTUAL WATER
COMPANY, a California corporation;
23 RANCHO MATILJA MUTUAL WATER
COMPANY, a California corporation;
24 SHLOMO RAZ, an individual;
SYLVIA RAZ, an individual;
25 RED ROCK RANCH PROPERTIES,
LLC, a California corporation;
26 RINCON WATER AND ROAD WORKS,
a California corporation;
27 CHARLES RUDD, an individual;
WILLIAM RUSIN, an individual;
28 MARK SALEH, an individual;

1 SENIOR CANYON MUTUAL WATER
2 COMPANY, a California corporation;
3 SIETE ROBLES MUTUAL WATER
4 COMPANY, a California corporation;
5 SIMS FAMILY TRUST, a California trust;
6 SISAR MUTUAL WATER COMPANY, a
7 California corporation;
8 SOULE PARK GOLF COURSE, LTD., a
9 California Corporation;
10 ST. JOSEPH'S ASSOCIATES OF OJAI,
11 CALIFORNIA, INC., a California
12 corporation;
13 ANDREW STASSE , an individual;
14 GEORGE S. STUART, an individual;
15 JOHN TAFT, an individual;
16 TELOS, LLC, a California Corporation;
17 THACHER CREEK CITRUS, LLC, a
18 California Corporation;
19 THE THACHER SCHOOL, a California
20 non-profit organization;
21 TICO MUTUAL WATER COMPANY, a
22 California corporation;
23 VICTOR TIMAR, an individual;
24 TOPA TOPA RANCH COMPANY, LLC,
25 a California corporation;
26 LOU TOMESSETTA, an individual;
27 JOHN TOWN, an individual;
28 TRUDIE TOWN, an individual;
ERNESTO VEGA, an individual;
VENTURA COUNTY WATERSHED
PROTECTION DISTRICT, a California
special district;
VENTURA RIVER WATER DISTRICT, a
California special district;
WOOD-CLAEYSSSENS FOUNDATION, a
section 501(c)(3) exempt private
foundation;
CALVIN ZARA, an individual; and
DOES 1-1,000,

Cross-Defendants.

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

1 (Department of Water Resources’ (“DWR”) Bulletin 118, Groundwater Basin
2 Number 4-3.01); (2) Ojai Valley Groundwater Basin (DWR’s Bulletin 118,
3 Groundwater Basin Number 4-2); (3) Lower Ventura River Groundwater Basin
4 (DWR’s Bulletin 118, Groundwater Basin Number 4-3.02); and (4) Upper Ojai
5 Valley Groundwater Basin (DWR’s Bulletin 118 Groundwater Basin Number 4-1)
6 and asserts all applicable affirmative defenses to that cross-complaint.
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Signature
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