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20 Attorneys for Plaintiffs,
21 LAS POSAS VALLEY WATER RIGHTS
22 COALITION, et al.

23 SUPERIOR COURT OF CALIFORNIA
24 COUNTY OF SANTA BARBARA

25 LAS POSAS VALLEY WATER RIGHTS
26 COALITION, an unincorporated association;
27 PLACCO, INC., a California Corporation;
28 GRIMES ROCK, INC., a California
corporation; SATICOY PROPERTIES, LLC, a
California limited liability company; SCS
PARTNERS, a California partnership; GREEN
HILLS RANCH, LLC, a California limited
liability company; ROLLING GREEN HILLS
RANCH, LLC, a California limited liability
company,

Plaintiffs,

v.

FOX CANYON GROUNDWATER
MANAGEMENT AGENCY, a public entity; all
persons unknown, claiming any legal or
equitable right, title, estate, lien or interest in the
property described in the complaint adverse to
plaintiffs' title or any cloud on plaintiffs' title
thereto; THERMIC MUTUAL WATER
COMPANY LTD., a mutual water company;
SUNSHINE RANCH, LLC, a California limited
liability company; CITY OF MOORPARK;

VENTURA
SUPERIOR COURT

FILED

11/02/2018

MICHAEL D. PLANET
Executive Officer and Clerk

BY: Chavez, Terri Deputy

CASE NO. VENC100509700

*Assigned for all purposes to the Honorable
Thomas P. Anderle*

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
APPROVAL OF DRAFT NOTICE AND
DRAFT FORM ANSWER**

Date: October 16, 2018
Time: 9:30 a.m.
Dept.: 3

1 FULLER FALLS MUTUAL WATER
 2 COMPANY, a mutual water company;
 3 CRESTVIEW MUTUAL WATER
 4 COMPANY, a mutual water company; ZONE
 5 MUTUAL WATER COMPANY, a mutual
 6 water company; BERYLWOOD HEIGHTS
 7 MUTUAL WATER COMPANY, a mutual
 8 water company; DEL NORTE WATER
 9 COMPANY, a mutual water company;
 10 KIRSCHBAUM, LLC, a California limited
 11 liability company; LEMON 500, LLC, a
 12 Delaware limited liability company; MITTAG
 13 RANCHES, GENERAL PARTNERSHIP, a
 14 general partnership; MITTAG FARMS,
 15 GENERAL PARTNERSHIP, a general
 16 partnership; CALLEGUAS MUNICIPAL
 17 WATER DISTRICT, a municipal water district;
 18 VENTURA COUNTY WATERWORKS
 19 DISTRICT NO. 1 and VENTURA COUNTER
 20 WATERWORKS DISTRICT NO. 19
 21 collectively WATERWORKS DISTRICTS;
 22 COUNTY OF VENTURA; TOM GREETHER
 23 FARMS, INC., a California corporation;
 24 RANCHO CANADA WATER COMPANY, a
 25 California limited partnership; UNITED
 WATER CONSERVATION DISTRICT, a
 California water conservation district;
 ARROYO LAS POSAS MUTUAL WATER
 COMPANY, a mutual water company;
 BALCOM BIXBY WATER ASSOCIATION, a
 California corporation; EPWORTH MUTUAL
 WATER COMPANY, a mutual water
 company; LA LOMA RANCH MUTUAL
 WATER COMPANY, a mutual water
 company; LAS LOMAS MUTUAL WATER
 COMPANY, a mutual water company;
 SATICOY COUNTRY CLUB, a California
 corporation; SOLANO VERDE MUTUAL
 WATER COMPANY, a mutual water
 company; WATERS ROAD DOMESTIC
 USERS GROUP, INC., a California
 corporation; CALIFORNIA-AMERICAN
 WATER COMPANY, a California corporation;
 CITY OF SIMI VALLEY; BUTLER RANCH
 MUTUAL WATER CO., a mutual water
 company; and DOES 1 through 3000, inclusive,

Defendants.

26 The motion filed by Plaintiffs Las Posas Basin Water Rights Coalition, *et al.* for approval
 27 of its Draft Notice and Draft Form Answer came on regularly for hearing on October 16, 2018.

28 Pursuant to the Court's October 16 ruling, the notice and form answer attached hereto as **Exhibit**

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A are hereby approved. Plaintiffs are authorized to serve landowners in the Las Posas Valley Groundwater Basin with the notice and form answer as provided by Code of Civil Procedure § 836.

IT IS SO ORDERED:

DATED: October , 2018
11/01/2018


The Honorable Thomas P. Anderle

Thomas P. Anderle

EXHIBIT A

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**NOTICE OF COMMENCEMENT OF
GROUNDWATER BASIN ADJUDICATION**

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

A copy of the complaint may be obtained by contacting the plaintiffs or the plaintiffs' attorney identified in this notice. If you claim rights to pump or store groundwater within the basin, 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 plaintiff or the plaintiff's attorney.

Failing to participate in this lawsuit could have a significant adverse effect on any right to pump or store groundwater 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 conference in person or have an attorney represent you at the initial case management conference.

Participation requires the production of all information regarding your groundwater use. You must provide this information by the date identified in this notice.

A form answer is provided for your convenience. You may fill out the form answer and file it with the court. Should you choose to file the form answer, it will

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serve as an answer to all complaints and cross-complaints filed in this case.

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

(i) Name of Basin: Las Posas Valley Groundwater Basin. A map of the Las Posas Valley Groundwater Basin is available at <https://sagma.water.ca.gov/webgis/?appid=160718113212&subbasinid=4-008>

(ii) Case No. VENC100509700, Santa Barbara County Superior Court, Civil Division, Department No. 3, 1100 Anacapa St, Santa Barbara, California 93121

(iii) Plaintiffs' counsel may be contacted at the following mailing address, telephone number and email address:

David Aladjem
Downey Brand LLP
621 Capitol Mall, 18th Floor
Sacramento, CA 95814-4731
(916) 444-1000
daladjem@downeybrand.com

(iv) Plaintiffs' Second Amended Complaint seeks a comprehensive adjudication of the Las Posas Valley Groundwater Basin ("Basin") and alleges five causes of action. The First Cause of Action for Declaratory Relief is asserted against all defendants, and seeks a judicial declaration that will comprehensively adjudicate the rights and duties of all parties to this action to the Basin's groundwater. Similarly, the Fourth Cause of Action seeks a comprehensive determination of the respective title, rights, and interests of the parties in the Basin's groundwater, and is asserted against all defendants except Fox Canyon. The Second, Third, and Fifth Causes of Action are asserted solely against Defendant Fox Canyon Groundwater Management Agency ("Fox Canyon"). The Second Cause of Action seeks a writ of mandate against Fox Canyon on the ground that its Emergency Ordinance E violates Article XIII C of the California

1 Constitution because it imposed a tax without the required voter approval. The
2 Third Cause of Action also seeks a writ of mandate against Fox Canyon on the
3 ground that Emergency Ordinance E is arbitrary and capricious on the grounds that:
4 (a) it violates Plaintiffs' water rights under California law; (b) Fox Canyon lacked a
5 reasonable scientific and technical basis for Ordinance E's findings; (c) it takes
6 Plaintiffs' water rights without the payment of just compensation in violation of the
7 California and U.S. constitutions; and (d) it violates Plaintiffs' rights to due process
8 under the California and U.S. constitutions. Alternatively, the Third Cause of
9 Action seeks a writ of mandate directing Fox Canyon to review Ordinance E in
10 accordance with Article 5 of the ordinance. Finally, the Fifth Cause of Action for
11 Due Process Violations and Inverse Condemnation alleges that Fox Canyon's
12 adoption and continued enforcement of Ordinance E violated Plaintiffs' due process
13 rights and requires the payment of just compensation under the California and U.S.
14 constitutions.

15 (v) Date by which persons receiving the notice must appear in the
16 comprehensive adjudication: Thirty (30) days after receiving this notice. The Case
17 Management Conference in this groundwater basin adjudication proceeding is set
18 for November 27, 2018.

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

LAS POSAS VALLEY WATER RIGHTS COALITION, an unincorporated association; PLACCO, INC., a California Corporation; GRIMES ROCK, INC., a California corporation; SATICOY PROPERTIES, LLC, a California limited liability company; SCS PARTNERS, a California partnership; GREEN HILLS RANCH, LLC, a California limited liability company; ROLLING GREEN HILLS RANCH, LLC, a California limited liability company,

Plaintiffs,

v.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY, a public entity; all persons unknown, claiming any legal or equitable right, title, estate, lien or interest in the property described in the complaint adverse to plaintiffs' title or any cloud on plaintiffs' title thereto; THERMIC MUTUAL WATER COMPANY LTD., a mutual water company; SUNSHINE RANCH, LLC, a California limited liability company; CITY OF MOORPARK; FULLER FALLS MUTUAL WATER COMPANY, a mutual water company; CRESTVIEW MUTUAL WATER COMPANY, a mutual water company; ZONE MUTUAL WATER COMPANY, a mutual water company; BERYLWOOD HEIGHTS MUTUAL WATER COMPANY, a mutual water company; DEL NORTE WATER COMPANY, a mutual water company; KIRSCHBAUM, LLC, a California limited liability company; LEMON 500, LLC, a

CASE NO. VENCI00509700

Assigned for all purposes to the Honorable Thomas P. Anderle

ANSWER TO ADJUDICATION COMPLAINT

1 Delaware limited liability company; MITTAG
 2 RANCHES, GENERAL PARTNERSHIP, a
 3 general partnership; MITTAG FARMS,
 4 GENERAL PARTNERSHIP, a general
 5 partnership; CALLEGUAS MUNICIPAL
 6 WATER DISTRICT, a municipal water
 7 district; VENTURA COUNTY
 8 WATERWORKS DISTRICT NO. 1 and
 9 VENTURA COUNTER WATERWORKS
 10 DISTRICT NO. 19 collectively
 11 WATERWORKS DISTRICTS; COUNTY OF
 12 VENTURA; TOM GREYER FARMS, INC.,
 13 a California corporation; RANCHO CANADA
 14 WATER COMPANY, a California limited
 15 partnership; UNITED WATER
 16 CONSERVATION DISTRICT, a California
 17 water conservation district; ARROYO LAS
 18 POSAS MUTUAL WATER COMPANY, a
 19 mutual water company; BALCOM BIXBY
 20 WATER ASSOCIATION, a California
 21 corporation; EPWORTH MUTUAL WATER
 22 COMPANY, a mutual water company; LA
 23 LOMA RANCH MUTUAL WATER
 24 COMPANY, a mutual water company; LAS
 25 LOMAS MUTUAL WATER COMPANY, a
 26 mutual water company; SATICOY COUNTRY
 27 CLUB, a California corporation; SOLANO
 28 VERDE MUTUAL WATER COMPANY, a
 mutual water company; WATERS ROAD
 DOMESTIC USERS GROUP, INC., a
 California corporation; CALIFORNIA-
 AMERICAN WATER COMPANY, a
 California corporation; CITY OF SIMI
 VALLEY; BUTLER RANCH MUTUAL
 WATER CO., a mutual water company; and
 DOES 1 through 3000, inclusive,

Defendants.

ANSWER TO ADJUDICATION COMPLAINT

The undersigned denies all material allegations in the complaint or cross-complaint in this action that seeks to adjudicate rights in the groundwater basin and asserts all applicable affirmative defenses to that complaint.

DATED: _____

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PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Downey Brand LLP, 621 Capitol Mall, 18th Floor, Sacramento, California, 95814-4731. On October 29, 2018, I served the within document(s):

[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR APPROVAL OF DRAFT NOTICE AND DRAFT FORM ANSWER

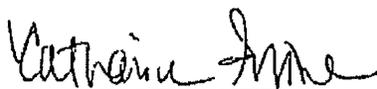
- BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- BY E-MAIL:** by transmitting via my electronic service address (cirvine@downeybrand.com) the document(s) listed above to the person(s) at the e-mail address(es) set forth below.
- BY MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Sacramento, California addressed as set forth below.
- BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- BY PERSONAL DELIVERY:** by causing personal delivery by _____ of the document(s) listed above to the person(s) at the address(es) set forth below.

See attached service list

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 am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on October 29, 2018, at Sacramento, California.



Catharine F. Irvine

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<p>LeRoy Smith Andrew Gschwind COUNTY OF VENTURA 800 South Victoria Avenue, L/C #1830 Ventura, CA 93009 E-mail: andrew.gschwind@vcventura.org</p> <p>Frederic Fudacz Alfred Smith Gina Nicholls NOSSAMAN LLP 777 South Figueroa Street, 34th Floor Los Angeles, CA 90017 E-mail: ffudacz@nossaman.com E-mail: asmith@nossaman.com E-mail: gnicholls@nossaman.com</p> <p><i>Attorneys for Defendant Fox Canyon Groundwater Management Authority</i></p>	<p>Theodore J. England FERGUSON CASE ORR PATERSON LLP 1050 South Kimball Road Ventura, CA 93004 E-mail: tengland@fcoplaw.com</p> <p><i>Attorneys for Defendant Sunshine Ranch, LLC</i></p>
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<p>Peter A. Goldenring GOLDENRING & PROSSER A PROFESSIONAL CORPORATION 6050 Seahawk Street Ventura, CA 93003 E-mail: peter@gopro-law.com</p> <p><i>Attorneys for Plaintiffs Las Posas Valley Water Rights Coalition, Placco, Inc., Grimes Rock, Inc., Saticoy Properties, LLC, SCS Partners, Green Hills Ranch, LLC, and Rolling Green Hills Ranch, LLC</i></p>	<p>Walter Johnson Fuller Falls Mutual Water Company 530 Los Angeles Ave, #115-195 Moorpark, CA 93021</p> <p><i>Defendant</i></p>

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