

FILED/ENDORSED
DEC 14 2018
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**EXEMPT FROM FILING FEES
UNDER GOVT. CODE § 6103**

11 *Attorneys for California Department of Water
12 Resources*

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF SACRAMENTO

18 CALIFORNIA DEPARTMENT OF
19 WATER RESOURCES,

Case No. 34-2018-00246183

20 Plaintiff, **SUMMONS**

21 v.

22 **ALL PERSONS INTERESTED IN THE
23 MATTER of the State Water Project Water
Supply Contract Amendments for
24 Continued Service and the Terms and
25 Conditions Thereof (the "Contract
26 Extension Amendments")**

Case Filed: December 11, 2018

Calendar Preference per CCP § 867

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12/14/18
RECEIVED

1 NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
2 WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND NOT LATER THAN
3 FEBRUARY 25, 2019, WHICH IS TEN (10) DAYS OR MORE AFTER COMPLETION OF
4 THE PUBLICATION OF THIS SUMMONS. READ THE INFORMATION BELOW.

5 AVISO! USTED HA SIDO DEMANDADO. EL TRIBUNAL PUEDE DECIDIR
6 CONTRA USTED SIN AUDIENCIA A MENOS QUE USTED RESPONDA NO MAS TARDE
7 QUE EL DIA 25 DE FEBRERO 2019, QUE ES DIEZ (10) DIAS O MAS DESPUES DE
8 TERMINACION DE PUBLICACION DE ESTA CITACION JUDICIAL. LEA LA
9 INFORMACION QUE SIGUE.

10 ALL PERSONS INTERESTED IN THE MATTER OF THE STATE WATER PROJECT
11 WATER SUPPLY CONTRACT AMENDMENTS FOR CONTINUED SERVICE AND THE
12 TERMS AND CONDITIONS THEREOF (THE "CONTRACT EXTENSION
13 AMENDMENTS"):

14 Plaintiff has filed a civil complaint against you. You may contest the validity of the above
15 matter by appearing and filing with the Court a written responsive pleading to the complaint not
16 later than February 25, 2019, which is ten (10) days or more after the completion of the
17 publication of this summons. Your pleading must be in the form required by the California Rules
18 of Court. Your original pleading must be filed in this Court with proper filing fees and proof that
19 a copy thereof was served on Plaintiff's attorney. Unless you so respond, your default will be
20 entered upon Plaintiff's application, and the Plaintiff may apply to the Court for the relief
21 demanded in the complaint. Persons who contest the validity of the matter described below and
22 in the complaint will not be subject to punitive action, such as wage garnishment or seizure of
23 their real or personal property.

24 DETAILED SUMMARY OF THE MATTER THAT PLAINTIFF SEEKS TO
25 VALIDATE:

26 The Department operates, manages, and oversees facilities that store, transport and deliver
27 water to urban and agricultural water agencies throughout the State. Since 1960, the Department
28 has approved, planned and constructed an integrated system of water storage and transportation

1 and power generation facilities called the State Water Resources Development System, more
2 commonly known as the State Water Project.

3 Pursuant to applicable statutes and other authorities, the Department is authorized to
4 perform various duties and functions related to the State Water Project. Among its powers, the
5 Department is authorized to enter into contracts for the sale, delivery, or use of water, generated
6 through the State Water Project, to water agencies in the State. Twenty-nine (29) public water
7 agencies ("Contractors") currently have contracts ("Water Supply Contracts") with the
8 Department for delivery of water from the State Water Project. The Contractors receive water
9 service in exchange for paying all costs that are associated with constructing, operating, and
10 maintaining State Water Project facilities and that are attributable to water supply. The Water
11 Supply Contracts are required to be substantially uniform with respect to their basic terms and
12 conditions for all 29 Contractors.

13 The Water Supply Contracts originally included 75-year terms with ending dates that
14 ranged from November 4, 2035 to August 31, 2042, depending on when each specific Water
15 Supply Contract was executed. Article 4 of the Water Supply Contracts provides that the
16 Contractors, by written notice to the Department at least six (6) months prior to the end of the
17 term of the particular Water Supply Contract in question (as specified in Article 2), may elect to
18 receive continued service under the Water Supply Contracts under certain conditions. In
19 accordance with Article 4, the Department initiated a process to amend the Water Supply
20 Contracts in order to maintain the financial integrity of the State Water Project.

21 On December 11, 2018, the Department's Director approved the "Amendments for
22 Continued Service and the Terms and Conditions Thereof," referred to herein as the Contract
23 Extension Amendments. The Contract Extension Amendments extend the terms of the Water
24 Supply Contracts to 2085, and amend other financial provisions in the Contracts to ensure that the
25 State Water Project is properly managed and financed. A model form of the Contract Extension
26 Amendments is attached to the Department's validation complaint as Exhibit A.

27 The Department brought this validation action to confirm the legality and validity of the
28 Contract Extension Amendments and the proceedings related thereto. The validation complaint,

1 the accompanying exhibit, and a copy of this Summons are available on the Department's internet
2 website. Attorneys for the Department, identified below, also can be contacted to obtain these
3 documents.

4 YOU MAY SEEK THE ADVICE OF AN ATTORNEY IN ANY MATTER
5 CONNECTED WITH THE COMPLAINT OR THIS SUMMONS. SUCH ATTORNEY
6 SHOULD BE CONSULTED PROMPTLY SO THAT YOUR PLEADING MAY BE FILED OR
7 ENTERED WITHIN THE TIME REQUIRED BY THIS SUMMONS.

8 SI USTED DESEA SOLICITAR EL CONSEJO DE UN ABOGADO EN ESTE
9 ASUNTO, DEBERIA HACERLO INMEDIATAMENTE. TAL ABOGADO DEBERIA SER
10 CONSULTADO PRONTO PARA QUE SU REPUESTA ESCRITA PUEDA SER
11 REGISTRADA DENTRO DEL TIEMPO REQUERIDO POR ESTA CITACION JUDICIAL.

12 The name and address of the Court is (el nombre y direccion del Tribunal es):

13 Superior Court of the State of California, County of Sacramento
14 Gordon D. Schaber Sacramento County Courthouse
15 720 9th Street
16 Sacramento, CA 95814

17 CASE NUMBER (Número del Caso): 34-2018-00246183

18 The name, address, and telephone number of Plaintiff's attorneys are (el nombre, la
19 dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene
20 abogado, es):

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Superior Court Clerk

Dated: DEC 14 2018
(Fecha)
(Delegado)

Clerk, by: R. MACDONALD, Deputy
(Actuario)

[SEAL]

[SELLO]

