

1 **NOTICE OF COMMENCEMENT OF**
2
3 **GROUNDWATER BASIN ADJUDICATION**
4

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

9 A copy of the complaint may be obtained by contacting the plaintiff or the
10 plaintiff's attorney identified in this notice. If you claim rights to pump or store
11 groundwater within the basin, either now or in the future, you may become a party
12 to this lawsuit by filing an answer to the lawsuit on or before the deadline specified
13 in this notice. You may file an answer by completing the attached form answer,
14 filing it with the court indicated in this notice, and sending a copy of the form
15 answer to the plaintiff or the plaintiff's attorney.

16 **Failing to participate in this lawsuit could have a significant adverse**
17 **effect on any right to pump or store groundwater that you may have.** You may
18 seek the advice of an attorney in relation to this lawsuit. Such attorney should be
19 consulted promptly. A case management conference in this groundwater basin
20 adjudication proceeding shall occur on the date specified in this notice. If you
21 intend to participate in the groundwater adjudication proceeding to which this
22 notice applies, you are advised to attend the initial case management conference in
23 person or have an attorney represent you at the initial case management conference.

24 Participation requires the production of all information regarding your
25 groundwater use. You must provide this information by the date identified in this
26 notice.
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1 A form answer is provided for your convenience. You may fill out the form
2 answer and file it with the court. Should you choose to file the form answer, it will
3 serve as an answer to all complaints and cross-complaints filed in this case.

4 The following information is provided pursuant to California law, as found in
5 Code of Civil Procedure Section 836(a)(1)(B):

6 (i) Name of Basins: Santa Clara River Valley - Oxnard Groundwater Basin
7 (No. 4-004.02) and the Pleasant Valley Groundwater Basin (No. 4-006)
8 (collectively, the "Basins").

9 A map of the Oxnard Groundwater Basin is available here:
10 <https://sgma.water.ca.gov/webgis/?appid=160718113212&subbasinid=4-004.02>

11 A map of the Pleasant Valley Groundwater Basin is available here:
12 <https://sgma.water.ca.gov/webgis/?appid=160718113212&subbasinid=4-006>

13 (ii) Case No.: VENCI00555357

14 (iii) Name and Address of Court: Superior Court of the State of California,
15 County of Santa Barbara, 1100 Anacapa Street, Santa Barbara, CA 93101.

16 Department: 4

17 (iv) Name, Address, Telephone Number, and Email Address of Plaintiff's
18 Attorney, From Whom the Complaint May be Obtained and to Whom a Copy of
19 the Form Answer Should be Sent:

20 O'Melveny & Myers, LLP
21 c/o: Katie Sinclair
22 1999 Avenue of the Stars, 8th Fl.,
23 Los Angeles, CA 90067
24 Telephone: (310) 553-6700
25 Email: ksinclair@omm.com

26 (v) Summary of the Causes of Action Alleged in the Complaint and the
27 Relief Sought: Plaintiffs seek a Comprehensive Groundwater Adjudication of the
28 Santa Clara River Valley - Oxnard Groundwater Basin (No. 4-004.02) and the

1 Pleasant Valley Groundwater Basin (No. 4-006) (collectively, the “Basins”) and
2 allege six causes of action. The First Cause of Action for Declaratory Relief is
3 asserted against all defendants, and seeks a judicial declaration that will, pursuant to
4 Sections 834 and 849 of the Code of Civil Procedure: (1) comprehensively
5 adjudicate and determine all rights to groundwater within the Basins, and rights to
6 use the storage space within the Basins; and (2) impose appropriate injunctive
7 relief, subject to terms adopted by the Court to implement a physical solution on all
8 parties. Similarly, the Second Cause of Action seeks, pursuant to Sections 834 of
9 the Code of Civil Procedure, a comprehensive determination of the priority,
10 amount, purposes of use, extraction location, place of use of the water, and use of
11 storage space in the Basins. The Third, Fourth, Fifth, and Sixth Causes of Action
12 are alleged against Fox Canyon Groundwater Management Agency (“FCGMA”)
13 only and seek a writ of mandate pursuant to Code of Civil Procedure 1085(a)
14 requiring that FCGMA vacate the October 2019 Allocation Ordinance (“the
15 Ordinance”) and the Oxnard Basin Groundwater Sustainability Plan and Pleasant
16 Valley Groundwater Sustainability Plan (collectively, “the GSPs”).

17 (vi) Date By Which Persons Receiving the Notice Must Appear in the
18 Comprehensive Adjudication: August 30, 2023.

19 (vii) Date of Case Management Conference: September 29, 2023.

20 (viii) Date By Which Persons Who Wish to Participate Must Submit
21 Information Regarding their Groundwater Use: February 29, 2024.

22 **Failure to appear and file an answer by that deadline may result in your**
23 **default, and potentially, the loss of rights to groundwater in the Basins.**

24 Pursuant to Section 836(j) of the Code of Civil Procedure, compliance with the
25 service and notice provisions of Chapter 7 (commencing with Section 830) to Title
26 10 of Part 2 of the Code of Civil Procedure relating to comprehensive groundwater
27 adjudications shall be deemed effective service of process of the complaint and
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1 notice on all interested parties of the comprehensive adjudication for purposes of
2 establishing the Court's jurisdiction and the comprehensive effect of the
3 adjudication. Service of this notice in accordance with Section 836 of the Code of
4 Civil Procedure shall substitute for the summons otherwise provided for in civil
5 actions pursuant to Section 412.20 of the Code of Civil Procedure. Code of Civ.
6 Proc. § 836(c).

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9 DATED: December 29, 2022

O'MELVENY & MYERS LLP

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11 By:



Russell McGlothlin

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28 Attorneys for Plaintiffs and Petitioners
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