1 2 3 4 5 6	GENE TANAKA, Bar No. 101423 gene.tanaka@bbklaw.com SARAH CHRISTOPHER FOLEY, Bar No. sarah.foley@bbklaw.com DAKOTAH BENJAMIN, Bar No. 316446 Dakotah.Benjamin@bbklaw.com BEST BEST & KRIEGER LLP 2001 N. Main Street, Suite 390 Walnut Creek, California 94596 Telephone: (925) 977-3300 Facsimile: (925) 977-1870	CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles SEP 2 5 2019 Sherri R. Carter, Executive Utticer/Clerk of Court By: Isaac Lovo, Deputy
7 8 9 10	SHAWN HAGERTY, Bar No. 182435 shawn.hagerty@bbklaw.com BEST BEST & KRIEGER LLP 655 West Broadway, 15th Floor San Diego, California 92101 Telephone: 619.525.1300 Facsimile: 619.233.6118	
11 12 13	Attorneys for Respondent and Cross-Compla CITY OF SAN BUENAVENTURA SUPERIOR COURT OF	inant THE STATE OF CALIFORNIA
14	COUNTY	OF LOS ANGELES
15 16	SANTA BARBARA CHANNELKEEPER, a California non-profit corporation,	Case No. 19STCP01176 Judge: Honorable William F. Highberger
17 18	Petitioner, v.	SUPPLEMENTAL DECLARATION OF SARAH CHRISTOPHER FOLEY IN SUPPORT OF RESPONDENT AND CROSS-
19	STATE WATER RESOURCES CONTROL BOARD, a California State Agency; et al.,	COMPLAINANT CITY OF SAN BUENAVENTURA'S MOTION FOR APPROVAL OF NOTICE AND FORM ANSWER
20 21	Respondents.	[Filed with: 1. Respondent and Cross-Complainant City of
22 23	CITY OF SAN BUENAVENTURA, a California municipal corporation,	San Buenaventura's Reply to Respondent State Water Resources Control Board's Response to Motion for Approval, and 2. [Proposed] Order.]
24	Cross-Complainant,	
2526	v. DUNCAN ABBOTT, an individual; et al.	Date: October 2, 2019 Time: 10:00 a.m. Dept.: 10
27	Cross-Defendants.	Action Filed: September 19, 2014 Trial Date: Not Set
28	82470.00018\32359557.1 SUPP. DECL. OF SARAH C. FOLEY ISO OF CITY'S N	NOTION FOR APPROVAL OF NOTICE AND FORM ANSWER

1	SUPPLEMENTAL DECLARATION OF SARAH CHRISTOPHER FOLEY	
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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. I met and conferred with counsel for the State Water Resources Control Board	
12	("State Board") several times both telephonically and via email regarding the response it filed to	
13	the City's Motion for Approval on September 17, 2019.	
14		
15	3. The City and the State Board agreed to a revised notice of adjudication, attached	
16	hereto as Exhibit A.	
17		
18	4. On September 24, 2019, the City sent, via email, the revised notice of adjudication	
19	to parties that have appeared in the case, and did not receive objections thereto.	
20		
21	I declare under penalty of perjury under the laws of the State of California that the	
22	foregoing is true and correct.	
23		
24	Executed on September 25, 2019 in New Orleans, Louisiana.	
25		
26	GADALY CHRISTOPHED FOLLOW	
27	SARAH CHRISTOPHER FOLEY	
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SUPP. DECL. OF SARAH C. FOLEY ISO OF CITY'S MOTION FOR APPROVAL OF NOTICE AND FORM ANSWER

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EXHIBIT A

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SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES

10 11 12 SANTA BARBARA CHANNELKEEPER, a California non-profit corporation, 13 Petitioner, 14 v. 15 STATE WATER RESOURCES 16 CONTROL BOARD, a California State Agency; 17 CITY OF SAN BUENAVENTURA, a California municipal corporation, incorrectly named as CITY OF 18 BUENAVENTURA, 19 Respondents. 20 21 CITY OF SAN BUENAVENTURA, a 22 California municipal corporation, 23 **Cross-Complainant** 24 v. 25 DUNCAN ABBOTT, an individual, et al. 26 Cross-Defendants. 27

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

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

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.

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, 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 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 ("CMC") in this groundwater basin adjudication proceeding shall occur on the date specified on the cover page of 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. You must provide this information within six months of appearing

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in the comprehensive adjudication, unless otherwise stipulated by the parties or 1 2 ordered by the Court pursuant to Code of Civil Procedure section 842. 3 A form answer is provided for your convenience. You may fill out the form 4 answer and file it with the court. Should you choose to file the form answer, it will 5 6 serve as an answer to all complaints and cross-complaints filed in this case. 7 The following information is provided pursuant to Code of Civil 8 9 Procedure section 836(a)(1)(B): 10 Name of Basins: (i) 11 a. Upper Ventura River Groundwater Basin (Department of Water 12 Resources' ("DWR") Bulletin 118 Groundwater Basin Number 13 4-3.01); 14 b. Ojai Valley Groundwater Basin (DWR's Bulletin 118 15 Groundwater Basin Number 4-2); 16 c. Lower Ventura River Groundwater Basin (DWR's Bulletin 118 17 Groundwater Basin Number 44-3.01); and 18 d. Upper Ojai Valley Groundwater Basin (DWR's Bulletin 118 19 20 Groundwater Basin Number 4-1) (collectively "Ventura River Watershed Groundwater Basins"). 21 22 23 A map of each of the Ventura River Watershed Groundwater Basins is available at https://gis.water.ca.gov/app/bbat/. 24 25 Case No. 19STCP01176, Los Angeles County Superior Court, 26 (ii) Complex Civil Litigation Division, Department No. 010, Judge William F. 27

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Highberger presiding, located at 312 North Spring Street, Los Angeles,
California 90012.

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

Gene Tanaka Dakotah Benjamin Best Best & Krieger LLP 2001 N. Main Street, Suite 390 Walnut Creek, California 94596 Telephone: 925.977.3300 gene.tanaka@bbklaw.com dakotah.benjamin@bbklaw.com

Shawn Hagerty Best Best & Krieger LLP 655 West Broadway, 15th Floor San Diego, Californía 92101 Telephone: 619.525.1300 shawn.hagerty@bbklaw.com

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

The Cross-Complaint initiating this action for a comprehensive (iv) 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 level of reasonable and beneficial use under California Constitution Article X, Section 2; (2) 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 level of reasonable and beneficial use and a level that protects public trust resources under the public trust doctrine;

(3) declaratory relief for pueblo and/or treaty water rights; (4) declaratory relief for		
prescriptive water rights; (5) declaratory relief for appropriative water rights; (6)		
comprehensive adjudication and physical solution; (7) declaratory relief for		
municipal priority; (8) declaratory relief for the human right to water; and (9)		
declaratory relief regarding the Cross-Complainant's use of surface and/or		
subsurface water and groundwater affecting the Ventura River Watershed and		
declaratory relief that Cross-Defendants' water uses are not reasonable or		
beneficial and violate the public trust doctrine. The Cross-Complaint includes		
claims regarding the groundwater uses in the Ventura River Watershed		
Groundwater Basins, as described in this notice at page 2, line 1 to page 4, line 17		
and page 5, lines 15-18. The Cross-Complaint also includes claims regarding		
surface water uses from the Ventura River and its tributaries, which may be		
governed by future court orders.		

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

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