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

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

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

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

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

4 (i) Name of Basin: Las Posas Valley Groundwater Basin. A map of the Las
5 Posas Valley Groundwater Basin is available at

6 <https://sgma.water.ca.gov/webgis/?appid=160718113212&subbasinid=4-008>

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

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

11
12 David Aladjem
13 Downey Brand LLP
14 621 Capitol Mall, 18th Floor
15 Sacramento, CA 95814-4731
16 (916) 444-1000
17 daladjem@downeybrand.com

18 (iv) Plaintiffs' Second Amended Complaint seeks a comprehensive
19 adjudication of the Las Posas Valley Groundwater Basin ("Basin") and alleges five
20 causes of action. The First Cause of Action for Declaratory Relief is asserted
21 against all defendants, and seeks a judicial declaration that will comprehensively
22 adjudicate the rights and duties of all parties to this action to the Basin's
23 groundwater. Similarly, the Fourth Cause of Action seeks a comprehensive
24 determination of the respective title, rights, and interests of the parties in the
25 Basin's groundwater, and is asserted against all defendants except Fox Canyon.
26 The Second, Third, and Fifth Causes of Action are asserted solely against
27 Defendant Fox Canyon Groundwater Management Agency ("Fox Canyon"). The
28 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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