

**DIRECTORS**

Peter W. Hansen  
Craig R. Kaihara  
Thomas P. Vujovich, Jr.  
John S. Broome  
John D. Menne



**PLEASANT VALLEY COUNTY WATER DISTRICT**

PIONEER IN FOX CANYON AQUIFER CONSERVATION  
SERVING AGRICULTURE SINCE 1956

154 S. LAS POSAS ROAD, CAMARILLO, CA 93010-8570  
Phone: 805-482-2119  
Fax: 805 484-5835

**STAFF**

Jared L. Bouchard  
General Manager  
  
General Counsel  
Arnold, Bleuel, LaRochelle,  
Mathews & Zirbel, LLP

**PLEASANT VALLEY COUNTY WATER DISTRICT  
SPECIAL MEETING OF THE BOARD OF DIRECTORS**

**NOTICE OF MEETING**

**NOTICE IS HEREBY GIVEN** that the Pleasant Valley County Water District Board of Directors will hold a SPECIAL MEETING Tuesday December 13th, 2022, @ 10:00 a.m. at the District Office located at 154 S. Las Posas Road, Camarillo, CA 93010-8570.

In accordance with the Governor’s Executive Order N-29-20 and the Ventura County Stay Well at Home Order resulting from the Novel Coronavirus the Meeting will be held virtually using the ZOOM platform by calling +1 408 638 0968 US and entering Meeting ID 884 6122 6473 or Join Zoom Meeting Virtually: Join Zoom Meeting <https://us06web.zoom.us/j/88461226473>

**AGENDA**

The agenda is posted at least 72 hours preceding the Board meeting and contains all items on which Board action will be allowed pursuant to Government Code Section 54954.2. Action will be taken on unanticipated items only when an emergency (as defined in Section 54956.5) exists or as otherwise allowed under Section 54954.2(b).

An opportunity for members of the public to briefly address the Board on items not on the agenda is provided at the beginning and end of each meeting. Persons wishing to comment on agenda items should complete a speaker card and submit it (preferably before the meeting) to the Clerk. The Chairman will then recognize them at the appropriate time. Once recognized, persons should step to the podium, clearly state their name, and address for the record, and address the item being considered in as brief, clear, and concise a manner as possible.

**OPEN SESSION AND CALL TO ORDER:**

- 1) Pledge of allegiance.
- 2) Roll call.
- 3) Determination of quorum.
- 4) Approval of agenda.
- 5) Approval of minutes

a. September 27th, 2022 Special Board Meeting

**b. November 15<sup>th</sup>, 2022 Special Board Meeting**

**6) Open Forum.**

This is an opportunity for the public to address the Board on matters not appearing on the agenda. No action may be taken by the Board at this time, but items can be considered for placing on the agenda for a subsequent meeting

**7) Action Items**

**A. RATIFICATION OF CHECKS** The Board will review and ratify checks issued and funds transferred for the period November 10<sup>th</sup>, 2022 through December 9<sup>th</sup>, 2022

**Recommendation:** Approve

**B. CONSIDER RESOLUTION 22-07** Consider Resolution 22-07 A Resolution of the Board of Directors of the Pleasant Valley County Water District requesting that their Landowner General District Election to be held on May 2, 2023, be consolidated with other Elections called to be held on the same day and in the same territory

**Recommendation:** Approve

**C. GENERAL MANAGER COMMENTS**

**D. OTHER BUSINESS.**

**E. CLOSED SESSION.** It is the intention of the Pleasant Valley County Water District Board of Directors to be in closed session to consider the following items: Conference with legal counsel-potential/anticipated litigation. Subdivision (d) of Section 54956.9 of *California Government Code*. (One case)

**F. ADJOURNMENT.**

In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals with disabilities so they may attend and participate in meetings. If special assistance is needed, please call the Agency staff at (805) 482-2119 at least 24 hours prior to the meeting so proper arrangements may be assured. If requested, and as possible, agendas will be provided in alternative formats.

**Agenda Posting Certification:** This agenda was posted not less than 72 hours prior to the scheduled meeting date and time at 154 S. Las Posas Road Camarillo CA, 93010 in a location that is accessible 24 hours a day to the General Public and is posted on the Pleasant Valley County Water District website <https://www.pleasantvalleycountywaterdistrict.com/board-meetings>

**DIRECTORS**

Peter W. Hansen

Craig R. Kaihara

Thomas P. Vujovich, Jr.

John S. Broome

John D. Menne



**PLEASANT VALLEY COUNTY WATER DISTRICT**

PIONEER IN FOX CANYON AQUIFER CONSERVATION  
SERVING AGRICULTURE SINCE 1956

154 S. LAS POSAS ROAD, CAMARILLO, CA 93010-8570

Phone: 805-482-2119

Fax: 805 484-5835

**STAFF**

Jared L. Bouchard  
General Manager

General Counsel  
Arnold, Bleuel, LaRochelle,  
Mathews & Zirbel, LLP



**Jared Bouchard**  
General Manager

**DIRECTORS**

Peter W. Hansen

Craig R. Kaihara

Thomas P. Vujovich, Jr.

John S. Broome

John D. Menne



**PLEASANT VALLEY COUNTY WATER DISTRICT**

PIONEER IN FOX CANYON AQUIFER CONSERVATION  
SERVING AGRICULTURE SINCE 1956

154 S. LAS POSAS ROAD, CAMARILLO, CA 93010-8570  
Phone: 805-482-2119  
Fax: 805 484-5835

**STAFF**

Jared L. Bouchard  
**General Manager**

**General Counsel**  
Arnold, Bleuel,  
LaRochelle,  
Mathews & Zirbel,  
LLP

MINUTES OF SPECIAL MEETING OF THE  
BOARD OF DIRECTORS  
PLEASANT VALLEY COUNTY WATER DISTRICT HELD  
Tuesday September 27th, 2022 @ 10:00a.m.

Pursuant of notice given, a Special Meeting of the Board of Directors of the Pleasant Valley County Water District was held on Tuesday September 27th, 2022 @ 10:00 a.m. in the district headquarters facility, 154 S. Las Posas Rd, Camarillo, CA.

Call to Order

The meeting was called to order at 10:04 a.m. by Board President Vujovich.

Agenda Item #1- Pledge of Allegiance - led by Board President Vujovich

Agenda #2- Roll Call

Attendance at the meeting was as follows:

Directors Present:

Thomas P. Vujovich, Jr., President

Director John Menne

Director John Broome

Director Craig Kaihara

Director Peter Hansen

Directors Absent:

None

Staff Present: John Matthews, Attorney

Jared Bouchard, General Manager

Agenda #3 – Determination of Quorum

Quorum was established

Agenda Item #4 – Approval of Agenda

A motion to approve the agenda was made by Director Broome; seconded by Director Hansen. Motion passed unanimously with a 5-0 vote and the agenda was approved as presented.

Ayes: -5- Directors: Vujovich, Broome, Kaihara, Hansen, Menne

Ney's: -0-

Absent: -0-

Agenda item #5 – Approval of Minutes

August 30<sup>th</sup>, 2022, minutes were pulled for correction and will be presented at the next Special Board Meeting.

Agenda item #6 -Open Forum

Public comment: Charlotte Hollifield from CSDA presented an update on CSDA highlights over the year.

Agenda Item #7 –Action Items

A. PUBLIC HEARING OF ORDINANCE 22-01 PLEASANT VALLEY COUNTY WATER DISTRICT  
ORDINANCE ESTABLISHING SUPPLEMENTAL WATER AVAILABILITY

Ordinance was announced. Public hearing was conducted, staff report was given including date of publishing in VC Star on 9/6/2022, public testimony was opened – written communication was received by Marathon Sod in objection of ordinance 22-01, Tom Deardorff spoke in objection of ordinance 22-01, Jurgen Gramckow of Marathon Sod spoke in objection of Ordinance 22-01, Greg Lewis of Duda spoke in favor of Ordinance 22-01, Luis Calderone of Reiter Brothers spoke in favor of Ordinance 22-01, and public hearing was closed. A motion to adopt Ordinance 22-01 and perform the second reading in title only of Ordinance 22-01 was made by Director Hansen and Seconded by Director Kaihara. Motion was passed unanimously with a 5-0 vote.

Ayes: 5 Directors: Broome, Menne, Hansen, Kaihara, Vujovich

Ney's: -0-

Absent: -0-

A2. – Second Reading was performed in title only and adoption of Ordinance 20-01 effective October 1, 2022.

B. PUBLIC HEARING OF ORDINANCE 22-02 PLEASANT VALLEY COUNTY WATER DISTRICT AN ORDINANCE ADJUSTING FEES RELATED TO THE PROVISION OF WATER SERVICE.

Ordinance was announced. Public hearing was conducted, staff report was given including date of publishing in VC Star on 9/6/2022, public testimony was opened, no written communication was received, Jurgen Gramckow of Marathon Sod made public comment inquiring about the processes of the rate study and prop 218 vs. the process of a pass-through rate increase, no other public comment was made, and the public hearing was closed. A motion to adopt Ordinance 22-02 and perform the second reading in title only of Ordinance 22-02 was made by Director Kaihara and Seconded by Director Hansen. Motion was passed unanimously with a 5-0 vote.

Ayes: 5 Directors: Broome, Menne, Hansen, Kaihara, Vujovich

Ney's: -0-

Absent: -0-

B2. – Second Reading was performed in title only and adoption of Ordinance 20-02 effective November 1, 2022.

C. CONSIDER SUSTAINABLE GROUNDWATER MANAGEMENT ACT IMPLEMENTATION SUBGRANT AGREEMENT.

General manager Bouchard presented the Sustainable Groundwater Management Act implementation Subgrant Agreement. Public comment was opened: Sam Collie of the OPV coalition inquired about the grant project benefits to the basin. A motion was made by Director Hansen and Seconded by Director Broome to authorize the General manager to execute the Sustainable Groundwater Management Act Implementation Subgrant Agreement. Motion was passed unanimously with a 5-0 vote.

Ayes: 5-Directors: Vujovich, Menne, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

D. Ratification of Checks

A motion was made by Director Menne, seconded by Director Kaihara to ratify the checks issued and funds transferred since August 27th, 2022. The Motion passed unanimously with a 5-0 vote and a list of checks ratified is appended to these minutes.

Ayes: 5- Directors: Vujovich, Menne, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

Agenda Item #8 - General Manager Comments

General Manager Bouchard had no comments to report.

Agenda Item #9 – Other Business

No other business was discussed.

Agenda Item #10 – Closed Session

The Board went into closed session per Subdivision (d) of the California Government Code Section 54956.9© to conference with legal counsel on potential or existing litigations.

The Board concluded Closed session at 10:16 a.m. General and Special counsel did not have any discussion on potential litigation and no specific action was taken

Agenda Item #11 – Adjournment

The meeting was adjourned upon a motion duly made seconded, and carried unanimously at 11:21 a.m.

Respectfully Submitted:

Minutes Approval:

\_\_\_\_\_  
Jared Bouchard, General Manager

\_\_\_\_\_  
Thomas Vujovich, Board President



KRONICK  
MOSKOVITZ  
TIEDEMANN  
& GIRARD

ERIC N. ROBINSON  
erobinson@kmtg.com

September 26, 2022

**VIA ELECTRONIC MAIL**

Jared Bouchard, General Manager  
Board of Directors  
Pleasant Valley Water District  
154 S. Las Posas Road  
Camarillo, CA 93010-8570  
E-Mail: jared@pvcwater.com

Re: Objections to proposed Ordinance #22-01

Dear Mr. Bouchard:

Our firm represents Marathon Land, Inc. ("Marathon"), which owns 209 acres of agricultural land within Pleasant Valley County Water District ("PVCWD"). As you know, Marathon irrigates its land with water delivered by PVCWD.

PVCWD has proposed to adopt and implement Ordinance #22-01, which would change PVCWD's historical and current distribution of water to irrigated lands within PVCWD, including Marathon's land.

Marathon objects to PVCWD's proposed adoption and implementation of proposed Ordinance #22-01 and respectfully requests that PVCWD's Board of Directors abandon the proposed ordinance.

**Proposed Ordinance #22-01 Will Significantly Change PVCWD Water Distribution Among Growers**

Historically and currently, PVCWD delivers water according to requests by individual landowners or their farm operators or lessees (collectively "growers"). Those historic and existing water delivery requests reflect the irrigation water need actually arising from growers' investments in particular crops, related field infrastructure and planting/tending/harvesting equipment, and based on field soil type, field microclimate, irrigation water application method, and other physical factors driving actual physical irrigation water need in light of each grower's crop harvest quantity and quality objectives.

Proposed Ordinance #22-01 disregards all those grower investments and physical factors that drive actual water need, which in turn drives the historic and existing baseline pattern by which PVCWD has been distributing water to irrigated agricultural lands within PVCWD. Instead, proposed Ordinance #22-01 would allocate PVCWD water in a flat, or equal, amount per acre—regardless of historic and current irrigation water need. As a result, the lands of some growers will be allocated more water than historically used and currently needed, creating a water windfall. PVCWD proposes to adopt a 2022-2023 allocation of 2.411 acre-feet ("AF") of water per acre, so the allocation would create a windfall for



growers whose historic and current water need is less than that amount. For example, acres planted in lemons generally need about 2 AF per acre, while acres planted in vegetables generally need about 3 AF per acre (depending on crop rotation).

To create that windfall for growers whose historic and current water needs are less than 2.411 AF per acre, proposed Ordinance 2-01 necessarily must allocate to other growers less water than historically used and currently needed. For growers who historically used and currently need more than 2.411 AF per acre, PVCWD's proposed allocation method creates a water wipeout that frustrates and damages reasonable investment-backed expectations in the acquisition and physical development of these growers' agricultural lands.

Proposed Ordinance #22-01 provides no mechanism for growers enjoying windfall allocations to turn back their allocation surplus exceeding their historical and current reasonable irrigation water need into a pool from which the wiped-out growers may obtain the water they historically and currently need. The absence of such a turn-back pool doubles down on and exacerbates the windfalls-and-wipeouts problem arising from Proposed Ordinance #22-01. A turn-back pool would not solve the problem here, but its absence makes the problem even worse.

PVCWD states that proposed Ordinance #22-01 will help to implement an entirely different water allocation approach being implemented by Fox Canyon Groundwater Management Agency ("FCGMA") pursuant to its enabling authority and its authority to implement groundwater sustainability plans pursuant to the Sustainable Groundwater Management Act ("SGMA"). But the FCGMA's October 23, 2019 Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins ("FCGMA Ordinance") allocates groundwater according to each groundwater user's proportionate share of total average annual groundwater use during a base period of calendar years 2005 through 2014. (FCGMA Ordinance §§ 4.5, 6.1 et seq.)

The FCGMA Ordinance allocates groundwater among competing users based on their proportionate share of total pumping. To the extent that future reductions in total pumping might be required to achieve SGMA's objective of long-term groundwater sustainability, the FCGMA Ordinance would provide for a rampdown that equitably imposes an equal burden on all groundwater users to reduce groundwater use by a common percentage to achieve sustainability. Distributing the burden of achieving sustainability equally across all groundwater users is equitable, avoiding the windfalls and wipeouts arising from a flat allocation approach that has no basis in actual historic and current water need.

PVCWD's flat allocation approach in proposed Ordinance #22-01 is inequitable and conflicts with the equitable allocation approach embraced by the FCGMA Ordinance, which is rooted in actual water use reflecting growers' investments in particular crops, related field infrastructure and planting/tending/harvesting equipment, and based on field soil type, field microclimate, irrigation water application method, and other physical factors driving actual physical irrigation water need in light of each grower's crop harvest quantity and quality objectives.

#### **PVCWD Has Not Shown That Proposed Ordinance #22-01 Is Exempt From CEQA Review**

Proposed Ordinance #22-01 includes a recital finding that "adoption of this ordinance is statutorily exempt under the California Environmental Quality Act" ("CEQA"). But neither the proposed ordinance



nor any other documents disclosed to the public in connection with development of the ordinance describe the factual and legal basis for finding that proposed Ordinance #22-01 is exempt from CEQA. PVCWD has provided no analytical roadmap to link its conclusory exemption finding to any particular statutory or categorical CEQA exemption and any facts showing a particular exemption applies.

The Brown Act public meeting agenda packet for PVCWD's June 7, 2022, Board meeting on Proposed Ordinance #22-01 contains the ordinance and a staff report but provides no factual or legal basis for finding the ordinance to be exempt from CEQA. A June 29, 2022 powerpoint presentation prepared for a "workshop" contains no reference to CEQA at all. The public meeting agenda packet for PVCWD's August 30, 2022, special meeting on Proposed Ordinance #22-01 contains the ordinance and a staff report but provides no factual or legal basis for finding the ordinance to be exempt from CEQA. And the September 27, 2022 Board meeting agenda packet for PVCWD's special meeting on Proposed Ordinance #22-01 contains the ordinance and a staff report but provides no factual or legal basis for finding the ordinance to be exempt from CEQA.

Marathon understands that one or more members of PVCWD's Board of Directors are among the plaintiffs/petitioners prosecuting a lawsuit alleging that FCGMA violated CEQA by adopting the 2019 groundwater allocation ordinance referenced in the fourth recital of PVCWD's proposed Ordinance #22-01. (See Complaint for Comprehensive Groundwater Adjudication and Petition for Writs of Mandate filed by OPV Coalition ["Complaint"], attached hereto as **Exhibit 1**.) The Complaint alleges that Fox Canyon's "Allocation Ordinance summarily concludes, without reference to any other finding, '[t]his ordinance is exempt from [CEQA] ....'" (Complaint, ¶ 28.) The Complaint alleges: "No additional analysis was included in the staff report, and the Allocation Ordinance is infirm under CEQA." (*Ibid.*)

So too for the allocation ordinance that PVCWD's Board proposes to adopt. Neither the proposed ordinance nor any staff report or other publicly disclosed documentation details which statutory or categorical CEQA exemption might apply to proposed Ordinance #22-01. PVCWD has cited no law, provided no facts, and disclosed no basis for its conclusory finding that proposed Ordinance #22-01 is exempt from CEQA review. PVCWD's entire approach to developing proposed Ordinance #22-01 withholds from PVCWD's growers the most basic information needed to evaluate the physical impacts of proposed Ordinance #22-01. That violates CEQA.

Proposed Ordinance #22-01 is a "project" requiring prior completion of CEQA review under California Public Resources Code section 21000 et seq. For purposes of triggering CEQA review, "project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is ... [a]n activity directly undertaken by any public agency ...." (CEQA Guidelines<sup>1</sup> § 15378.)

Proposed Ordinance #22-01 is a "project," because it may cause significant adverse environmental effects by significantly changing the quantities of water delivered by PVCWD to the different lands within its service area compared to baseline water deliveries defined by PVCWD's historic and existing deliveries of water to these lands. Potentially significant changes will include PVCWD water delivery reductions compared to baseline conditions. Those reductions will change existing agricultural land uses, as landowners and growers respond to changed PVCWD water availability. Absent a specific

---

<sup>1</sup> The CEQA Guidelines are codified at 14 Cal. Code Regs. §15000 et seq.



exemption that is demonstrated to apply here, the direct and indirect effects of PVCWD's adopting and implementing proposed Ordinance #22-01 must be analyzed and publicly disclosed under CEQA.

CEQA's environmental disclosure purpose requires that PVCWD's consideration of proposed Ordinance #22-01 "must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of [the ordinance] with flexibility to respond to unforeseen insights that emerge from the process." (*County of Inyo v. City of Los Angeles* (1984) 160 Cal.App.3d 1178, 1185.) The environmental disclosure helps demonstrate to the public that the agency has in fact analyzed and considered the environmental implications of its action and it allows those who are affected by the proposed action but not directly involved in voting to undertake it to evaluate and balance the reported factors in their own judgment. (*No. Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 86; *Environmental Defense Fund, Inc. v. Coastside County Water Dist.* (1972) 27 Cal.App.3d 695, 704-705.) It ensures the integrity of the decisionmaking process "by precluding stubborn problems or serious criticism from being swept under the rug." (*People v. County of Kern* (1974) 39 Cal.App.3d 830, 841.) "A conclusory statement 'unsupported by empirical or experimental data, scientific authorities, or explanatory information of any kind' not only fails to crystallize issues but 'affords no basis for a comparison of the problems involved with the proposed project and the difficulties involved in the alternatives.'" (*Ibid.*)

#### **PVCWD's Withholding Requested Records Showing the Water Supply Impacts of Proposed Ordinance #22-01 Prevents Meaningful Participation In PVCWD's Decisionmaking Process And Violates Due Process and the California Public Records Act**

PVCWD has a public trust and due process duty to disclose the basis for and impacts of proposed Ordinance #22-01 that is sufficient for its constituents to have a meaningful opportunity to comment on the ordinance before it is adopted. That is especially so because the ordinance does more than establish a general rule about water allocation; it also determines the rule's application to specific lands and growers by imposing a flat allocation of water without regard to historic use and current need.

In a July 14, 2022 in-person meeting with PVCWD's general manager, Marathon asked PVCWD to disclose how the Supplemental Water Availability Limits ("SWA Limits") that PVCWD proposes to adopt for each Water Use Area ("WUA") for 2022-2023 compare to historic and current use of PVCWD water. As of September 26, 2022, Marathon has not yet received the requested information.

PVCWD's decision to withhold the requested information prevents Marathon and other landowners within PVCWD from evaluating the water supply impacts of proposed Ordinance #22-01 on their lands and operations within PVCWD. That means PVCWD's Board of Directors is poised to adopt and implement proposed Ordinance #22-01 without having disclosed the factual basis for the SWA Limits and their impacts on historic and current water use for all growers within PVCWD.

The withholding of that information is suppressing grower participation in the development and adoption of one of the most significant decisions that PVCWD's Board of Directors will have made since formation of PVCWD. That violates due process by depriving growers of information needed to provide meaningful input to PVCWD's Board of Directors about whether to adopt and implement proposed Ordinance #22-01.



The withholding of the requested information also violates the California Public Records Act, which was enacted to: (1) safeguard the accountability of government to the public; (2) promote maximum disclosure of the conduct of governmental operations; and (3) explicitly acknowledge the principle that secrecy is antithetical to a democratic system of "government of the people, by the people and for the people." (Gov't Code § 6250 et seq.; *CBS, Inc. v. Block* (1986) 42 Cal.3d 646, 651-652; 52 Ops.Cal.Atty.Gen 136, 143; *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762, 771-772.

PVCWD's withholding information that Marathon requested more than two months ago violates the Public Records Act's purpose to give the public access to information that enables them to monitor the functioning of their government. (*CBS, Inc. v. Block, supra*, 42 Cal.3d at 651; *Times Mirror Co. v. Superior Court* (1991) 53 Cal.3d 1325, 1350.) Since Marathon's information request, PVCWD will have conducted two Board meetings, on August 30 and September 27, 2022, on whether to adopt proposed Ordinance #22-01. The refusal to disclose the requested information has deprived Marathon, and presumably other constituents, of information needed to meaningfully participate in PVCWD's development and consideration of the proposed ordinance.

PVCWD should withdraw proposed Ordinance #22-01 and disclose the requested water supply impact information, so everyone can see who wins and loses from the proposal to significantly change the historic and current distribution of water.

#### **The Reasonable Use Doctrine Prohibits PVCWD's Proposal to Increase Water Availability Above Historic and Current Needs of Some Landowners by Reducing Water Availability Below the Historic and Current Needs of Other Landowners**

By allocating to certain growers more water than their historical use and current need, and funding the windfall by reducing water availability for other growers below their historical use and current need, proposed Ordinance #22-01 violates the constitutional rule prohibiting water waste and mandating that all water be used reasonably for maximum beneficial use. (Cal. Const., art. X, § 2; Water Code § 100.)

Proposed Ordinance #22-01 includes no prohibition on allocating more water than historically and currently needed by a grower. Proposed Ordinance #22-01 includes no mechanism to reallocate one grower's surplus allocation for use by other growers whose allocations are less than their historical and current reasonable irrigation needs.

PVCWD has withheld the information needed to demonstrate by how much proposed Ordinance #22-01 would increase water availability to certain growers above their historic use and current need and by how much the ordinance would reduce water availability to other growers below their historic use and current need.

There is a broad range of crop water demand within PVCWD. The range of crop demand includes a large amount of acreage planted in lemons, which generally require about 2 AF/acre. The range of crop demand also includes significant acreage planted in vegetables, which generally require 3 AF/acre or more (depending on rate of crop rotation). The flat allocation of 2.4111 AF per acre would provide more water to lemon growers than historically used and currently needed, while providing less water to vegetable growers than historically used and currently needed. The mismatch arising from PVCWD's flat allocation method would invite water waste by lemon growers or any other growers whose historic



Jared Bouchard  
September 26, 2022

Page 6

and current water needs are less than 2.4111. And the mismatch would fail to maximize the beneficial use of water by vegetable growers or any other growers whose historic and current water needs are more than 2.4111.

PVCWD's proposed Ordinance #22-01 conflicts with Article X, section 2 of the California Constitution and Water Code section 100 by encouraging waste and failing to maximize the reasonable, beneficial use of water.

### **PVCWD Has Failed to Identify Its Source of Legal Authority to Impose Water Allocations**

Marathon has asked PVCWD to identify its source of legal authority to impose the water allocation scheme proposed by Ordinance #22-01. In response, PVCWD has produced "Formation Papers" relating to the creation of PVCWD in the 1950s. The Formation Papers do not address whether PVCWD has legal authority to impose the water allocations proposed by Ordinance #22-01.

Water Code section 31026 authorizes a county water district, like PVCWD, "to restrict use of district water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the wastage of district water or the use of district water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the district and may prohibit use of such water during such periods for specific uses which the district may from time to time find to be nonessential."

To implement section 31026, Water Code section 31027 states that a county water district "may prescribe and define by ordinance the restrictions, prohibitions, and exclusions." To implement sections 31026 and 31027, Water Code section 31028 states that a county water district "shall have power to make findings upon each and all of the matters referred to in Section 31026," and that "[a] finding by the board of directors upon the existence, threat or duration of an emergency or shortage or upon the matter of necessity or any other matter or condition shall be made by resolution or ordinance ...."

Here, PVCWD has made no finding of an emergency to authorize its imposing the allocations proposed by Ordinance #22-01, because there is no emergency. PVCWD has distributed water in response to grower needs for many years without any allocation ordinance.

### **Request to Preserve Evidence Relating to Development, Consideration and Adoption of Proposed Ordinance #22-01**

Please preserve all records relating to development, consideration and adoption of proposed Ordinance #22-01 and suspend the application of any document retention policies that might otherwise result in the loss or destruction of evidence that may be relevant to any future court action challenging Ordinance #22-01.

"Records" are all tangible (hard-copy) or electronically-prepared, -stored or -transmitted writings or recordings, including hand-written notes, typed documents, emails, text messages, voicemails, spreadsheets, drawings, photographs, data sets, calendar and schedule entries, PDF documents, forms, notes and collections of texts or other data created or assembled by a user, presentations, diagrams, images, CAD files, databases and other electronic information, as well as relevant tangible objects. Please also retain all drafts of those same records, including any handwritten drafts.



Jared Bouchard  
September 26, 2022  
Page 7

Public records include emails, text messages, and their enclosures transmitted on PVCWD-provided communication devices or on personal devices that PVCWD Board members, staff or consultants use to transmit information relating to PVCWD business, like development, consideration and approval of proposed Ordinance #22-01.

### Conclusion

Marathon objects to proposed Ordinance #22-01 and respectfully requests that PVCWD rescind its proposed water allocation ordinance and proposed 2022-2023 allocations and continue to distribute water consistent with its historic and current practice of meeting actual grower irrigation needs. If PVCWD were to have legal authority to adopt an allocation ordinance, and if there were a lawful need for allocations, Marathon requests that PVCWD adopt an approach that is consistent with the FCGMA's Ordinance, which allocates water in proportion to each users share of actual use. Tying allocations to actual use implements Article X, section 2's constitutional mandate to avoid waste and maximize beneficial use of water.

Sincerely,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation



ERIC N. ROBINSON

ENR  
Encl. (Exhibit 1: OPV Coalition Complaint alleging CEQA violation)



1 MATT KLINE (Bar No. 211640)  
2 RUSSELL MCGLOTHLIN (Bar No. 208826)  
3 MADHU POCHA (Bar No. 260997)  
4 HEATHER WELLES (Bar No. 302256)  
5 O'MELVENY & MYERS LLP  
6 1999 Avenue of the Stars, 8th Fl.,  
7 Los Angeles, CA 90067  
8 Telephone: (310) 553-6700  
9 Facsimile: (310) 246-6779  
10 mkline@omm.com  
11 rmcglothlin@omm.com  
12 mpocha@omm.com  
13 hwelles@omm.com

14 Attorneys for Petitioners and Plaintiffs  
15 OPV Coalition, et al.

VENTURA  
SUPERIOR COURT  
**FILED**  
JUN 15 2021

BRENDA L. McCORMICK  
Executive Officer and Clerk  
By: \_\_\_\_\_, Deputy

MARIANA SUAZO

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
17 COUNTY OF VENTURA

18 OPV COALITION, an unincorporated  
19 association; PVR OXNARD, LLC; DUDA  
20 WESTSIDE OXNARD, LLC; HHR OXNARD,  
21 LLC; MONTGOMERY PROPERTIES LLC;  
22 MARY C. MENNE & ASSOCIATES; ET  
23 AGRICULTURAL ASSOCIATES, LLC; THE  
24 IVAN AND MOLLY SOHRAKOFF TRUST;  
25 THE SUSAN NAUMANN TRUST; THE  
26 RICHARD W NAUMANN TRUST; ARNOLD  
27 RANCH, LLC; J & P DOUGLAS FAMILY  
28 TRUST; SHOZI BROTHERS, LLP; SHOZI  
BROTHERS, LLC; JOSE C. MARTINEZ AND  
MARIA ELENA MARTINEZ; WILDCAT  
INVESTMENTS, LLC; GREYHER FARMING  
COMPANY, INC.; SARA NAUMANN  
MCANDREWS LIVING TRUST; BANJO  
RANCH LLC; DINGALING RANCH LLC;  
APTOS BERRY FARMS, INC.; BERKSHIRE  
INVESTMENTS, LLC; DOUD HAILES  
ROAD, LLC; ROCKINOEE, LP AND TARA  
ENTERPRISES, LP; WOOLEY BERRY  
FARMS, LLC; LANAI INVESTORS, LLC;  
P&R PROPERTIES; PIERPONT BAY  
RANCH; ROBERT C. DEBUSSCHERE AND  
DEBUSSCHERE MORRIS FAMILY TRUST;  
HECTOR DEBUSSCHERE TRUST ET AL;  
THE DEBUSSCHERE MORRIS FAMILY  
TRUST; LAS POSAS CAMARILLO CA, LP;  
WEST GONZALES ROAD OXNARD, LLC;  
NAUMANN ROAD OXNARD, LP; DUFAU

CASE NO. 56-2021-00555357-CU-PT-VTA  
**COMPLAINT FOR COMPREHENSIVE  
GROUNDWATER ADJUDICATION OF  
THE OXNARD GROUNDWATER  
SUBBASIN (No. 4-004.02) AND  
PLEASANT VALLEY SUBBASIN (No. 4-  
006) PURSUANT TO SECTIONS 830, ET  
SEQ. OF THE CODE OF CIVIL  
PROCEDURE; DECLARATORY  
RELIEF; QUIET TITLE; AND  
PETITION FOR WRITS OF MANDATE**  
**[CEQA CASE]**

1 ROAD OXNARD, LP; ROUND MOUNTAIN  
2 ROAD CAMARILLO CA, LP; SANTA  
3 CLARA AVENUE OXNARD, LP; JAMES F.  
4 NAUMANN TRUST; BENGARD  
5 DEBUSSCHERE LAND CO LLC; CARR  
6 CANYON PROPERTIES LLC; AMS  
7 MELINDA LLC; AMS CRAIG, LLC; AMS  
8 ROXANNE, LLC; CONNELLY RANCH,  
9 LLC; ARAICH LIMITED, S.A; AMS  
10 CHARLENE, LLC

11 Plaintiffs,

12 v.

13 FOX CANYON GROUNDWATER  
14 MANAGEMENT AGENCY, a public entity; all  
15 persons unknown, claiming any legal or  
16 equitable right, title, estate, lien or interest in the  
17 property described in the complaint adverse to  
18 plaintiffs' title or any cloud on plaintiffs' title  
19 thereto; and DOES 1 through 3000, inclusive,

20 Defendants.



1 I. INTRODUCTION

2 1. Ventura County’s family farmers and other agricultural landowners in the Oxnard  
3 and Pleasant Valley Groundwater Basins bring this lawsuit to achieve an outcome critical to their  
4 livelihoods and the well-being of the public—a fair allocation of groundwater rights with the goal  
5 of sustainable management of the region’s most precious resource. This case is critical to  
6 landowners, water providers, local municipalities, businesses, school districts, and citizens, as it  
7 will resolve rights to a significant portion of the local water supply.

8 2. Plaintiffs forged the OPV Coalition and seek court relief out of necessity. Plaintiffs  
9 invested many months in cooperative efforts with stakeholders, including Defendant, the Fox  
10 Canyon Groundwater Management Agency (“FCGMA”), to achieve an equitable and  
11 comprehensive long-term plan for sustainable management of water resources. Unfortunately,  
12 those discussions have failed to lead to a fair and reasonable resolution, thereby necessitating  
13 judicial assistance. Plaintiffs bring this action with the hope that it will serve as a catalyst for the  
14 many stakeholders, including FCGMA, to work together, with the Court’s supervision, in reaching  
15 a fair determination of water rights.

16 3. With those goals in mind, Plaintiffs ask that the Court conduct a comprehensive  
17 adjudication under section 830 *et seq.* of the California Code of Civil Procedure to determine all  
18 rights to extract (that is, pump) groundwater in the Santa Clara River Valley - Oxnard  
19 Groundwater Subbasin (DWR No. 4-004.02) and the Pleasant Valley Groundwater Subbasin  
20 (DWR No. 4-006) (collectively, the “Basins”); enter an appropriate judgment; and impose a  
21 physical solution consistent with the law (the “Comprehensive Adjudication”). Plaintiffs also  
22 seek writs of mandate ordering FCGMA to correct legal errors relating to (i) an ordinance adopted  
23 by FCGMA to establish pumping allocations in the Basins, and (ii) the adoption of groundwater  
24 sustainability plans (“GSP”) for the Basins under California’s Sustainable Groundwater  
25 Management Act (“SGMA”). The Comprehensive Adjudication and petition for writs of mandate  
26 are necessary to ensure sustainable management of the Basins’ groundwater supplies in a manner  
27 consistent with SGMA; the California Constitution’s mandate in Article X, section 2 to manage

1 water resources for maximum beneficial use and avoid water waste; and water right priorities  
2 under California law.

3 4. The Basins have been in a state of overdraft (*i.e.*, more water extracted than  
4 replenished) for decades and in 2018 the California Department of Water Resources (“DWR”)  
5 identified both Basins as in a state of “critical overdraft.”<sup>1</sup> The Basins face significant seawater  
6 intrusion: excessive pumping has lowered water levels in the Basins’ aquifers below sea level  
7 resulting in the landward migration of seawater into the potable aquifers adjacent to the coast. To  
8 remedy the seawater intrusion and other problems, Plaintiffs have engaged for several years with  
9 FCGMA and other stakeholders in negotiations over water rights, pumping allocations, and  
10 groundwater management. Unfortunately, for the reasons described below, the negotiating  
11 stakeholders have yet to achieve broad consensus, and Plaintiffs believe that this Comprehensive  
12 Adjudication is necessary to achieve an efficient and lasting resolution. Consistent with the  
13 statutory goal of encouraging the compromise and settlement of comprehensive adjudications (*see*  
14 Code of Civ. Proc. § 830(b)(3), Plaintiffs hope to continue the ongoing negotiations and to seek  
15 the Court’s assistance and direction to achieve a comprehensive settlement.

16 5. This Comprehensive Adjudication is similar to, and should be related to, a pending  
17 comprehensive adjudication of the neighboring Las Posas Valley Groundwater Basin, which is  
18 hydrologically connected to the Basins (sharing common dividing boundaries) and also within the  
19 jurisdictional boundaries of FCGMA. *See Las Posas Water Rights Coalition et al. v. Fox Canyon*  
20 *Groundwater Management Agency*, Santa Barbara Superior Court, Case No. VENCI00509700.  
21 The Honorable Thomas Anderle of the Santa Barbara Superior Court is presiding over that related  
22 case. Although the Las Posas Valley Basin is also located in Ventura County, the adjudication  
23 was removed to the Santa Barbara Superior Court and assigned to Judge Anderle under Code of  
24 Civil Procedure section 838, which provides that in a comprehensive groundwater basin  
25 adjudication, a judge of a superior court of a county that overlies the basin or any portion of the  
26 basin shall be disqualified, and that the Chairperson of the Judicial Council shall assign a judge to

27 <sup>1</sup> *See [https://water.ca.gov/Programs/Groundwater-Management/Bulletin-118/Critically-](https://water.ca.gov/Programs/Groundwater-Management/Bulletin-118/Critically-Overdrafted-Basins)*  
28 *Overdrafted-Basins.*

1 preside in all proceedings in the adjudication. In light of the similar facts and issues (common  
2 basin boundaries, aquifers, replenishment, and overlapping parties, counsel, and FCGMA  
3 jurisdiction), Plaintiffs believe it to be appropriate for this action to be assigned to Judge Anderle  
4 and related to the Las Posas Valley Basin adjudication. Doing so would advance judicial economy  
5 and bring the parties closer to an equitable resolution of these complex issues.

## 6 **II. JURISDICTION AND VENUE**

7 6. This Court has jurisdiction over this action pursuant to Code of Civil Procedure  
8 sections 526, 833, 1060, and 1085, section 3420 of the Civil Code, and sections 21168 and  
9 21168.5 of the Public Resources Code.

10 7. Venue is initially proper in this Court because the lands, water rights, and other real  
11 property that are the subject of this action are located within the County of Ventura. However, as  
12 noted above, all judges of the Superior Court of Ventura County are disqualified from hearing this  
13 action, and the Chairperson of the Judicial Council must assign a neutral judge to preside in all  
14 proceedings. *See* Code Civ. Proc. § 838 subd. (a)(1). As mentioned above, judicial economy  
15 counsels in favor of assigning the case to the Honorable Thomas Anderle of the Santa Barbara  
16 Superior Court, who is presiding over the related case, *Las Posas Water Rights Coalition et al. v.*  
17 *Fox Canyon Groundwater Management Agency*, Santa Barbara Superior Court, Case No.  
18 VENC100509700.

## 19 **III. PARTIES**

20 8. Plaintiff OPV Coalition is an unincorporated association formed to represent the  
21 interests of its members that are overlying agricultural water users in the Basins. OPV Coalition  
22 has standing to bring this action on behalf of its entire membership pursuant to Code of Civil  
23 Procedure section 382.

24 9. Plaintiffs PVR Oxnard, LLC; Duda Westside Oxnard, LLC; HHR Oxnard, LLC;  
25 Montgomery Properties LLC; Mary C. Menne & Associates; ET Agricultural Associates, LLC;  
26 The Ivan and Molly Sohrakoff Trust; The Susan Naumann Trust; The Richard W Naumann Trust;  
27 Arnold Ranch, LLC; J & P Douglas Family Trust; Shozi Brothers, LLP; Shozi Brothers, LLC;

1 Jose C. Martinez and Maria Elena Martinez; Wildcat Investments, LLC; Grether Farming  
2 Company, Inc.; Sara Naumann McAndrews Living Trust; Banjo Ranch LLC; Dingaling Ranch  
3 LLC; Aptos Berry Farms, Inc.; Berkshire Investments, LLC; Doud Hailes Road, LLC; Rockinooe,  
4 LP and Tara Enterprises, LP; Wooley Berry Farms, LLC; Lanai Investors, LLC; P&R Properties;  
5 Pierpont Bay Ranch; Robert C. Debusschere and Debusschere Morris Family Trust; Hector  
6 Debusschere Trust Et Al; The Debusschere Morris Family Trust; Las Posas Camarillo CA, LP;  
7 West Gonzales Road Oxnard, LLC; Naumann Road Oxnard, LP; Dufau Road Oxnard, LP; Round  
8 Mountain Road Camarillo CA, LP; Santa Clara Avenue Oxnard, LP; James F. Naumann Trust;  
9 Bengard Debusschere Land Co LLC; Carr Canyon Properties LLC; AMS Melinda LLC; AMS  
10 Craig, LLC; AMS Roxanne, LLC; Connelly Ranch, LLC; Araich Limited, S.A.; and AMS  
11 Charlene, LLC each own land overlying the Basins, and each one grows commercial crops that are  
12 irrigated with groundwater derived from the Basins.

13 10. Plaintiffs will amend this Complaint in the near future in order to add additional  
14 plaintiffs, as such plaintiffs become known.

15 11. Each Plaintiff, including each member of OPV Coalition, owns groundwater rights  
16 related to the parcels they own overlying the Basins.

17 12. Defendant FCGMA is a special district created by the California Legislature to  
18 manage groundwater resources within its territory for the common benefit of water users. *See*  
19 *Water Code App. § 121-102*. Each of the defendants identified as DOES 1 through 3,000,  
20 inclusive (“**Doe Defendants**”), whether individuals, corporations, unincorporated associations,  
21 partnerships, trustees, executors, guardians, or otherwise, claim some right, title, estate, lien, or  
22 interest in water in the Basins that is adverse to Plaintiffs’ title and interest, or represents a cloud  
23 on Plaintiffs’ respective titles thereto. Plaintiffs are unaware of the true names and capacities of  
24 the Doe Defendants and, therefore, sue the Doe Defendants by fictitious names. Plaintiffs will  
25 provide notice of the adjudication to all entities specified for receipt of notice, which will include  
26 all Doe Defendants, pursuant to the provisions of Sections 835, 836, and 836.5 of the Code of  
27  
28

1 Civil Procedure. These entities may elect to intervene in, or answer this Complaint, as provided  
2 therein.

3 **IV. GENERAL ALLEGATIONS**

4 **A. Physical Setting**

5 13. The Santa Clara River Valley - Oxnard Basin, defined by the California  
6 Department of Water Resources' Bulletin 118 as Basin No. 4-004.02, encompasses an area of  
7 approximately 58,000 acres. The Basin is located entirely within Ventura County. The eastern  
8 boundary is the Las Posas Valley Basin and Pleasant Valley Basin. The northern boundary is the  
9 Oak Ridge Fault, and the southern boundary is the Santa Monica Mountains. The western  
10 boundary is the Pacific Ocean.

11 14. The Pleasant Valley Basin, defined by the California Department of Water  
12 Resources' Bulletin 118 as Basin No. 4-006, encompasses an area of approximately 19,840 acres.  
13 The Basin is located entirely within Ventura County. The northern boundary is the Camarillo  
14 Hills and the Las Posas Hills, and the southern boundary is the Santa Monica Mountains. The  
15 western boundary is the Oxnard Subbasin.

16 15. Groundwater overdraft in both Basins has led to seawater intrusion into the Oxnard  
17 Basin. Although seawater intrusion has not occurred in the Pleasant Valley Basin, groundwater  
18 pumping in the Pleasant Valley Basin contributes to seawater intrusion into the Oxnard Basin,  
19 since the Basins are hydrologically connected.

20 **B. Groundwater Users**

21 16. Water in these Basins support diverse water users. These include municipal water  
22 suppliers—among them the Cities of Oxnard, the largest city fully contained in the Oxnard Basin,  
23 Camarillo, and San Buenaventura, and the Channel Island Beach Community Service District.

1           17.     Agriculture in the Basins is a key industry, and dependent on groundwater supplies.  
2 The Oxnard Basin, alone, provides water for more than half of Ventura County’s \$2.2 billion  
3 agricultural industry.<sup>2</sup>

4     **C.     History of Groundwater Management Efforts**

5           18.     There is a long history of efforts to ameliorate the overdraft and resulting seawater  
6 intrusion. The United Water Conservation District (“UWCD”), organized in 1950, under the  
7 Water Conservation Act of 1931, has managed regional water enhancement efforts since its  
8 formation. Today, UWCD operates infrastructure to divert surface water from the Santa Clara  
9 River, delivers diverted river water to spreading grounds to enhance recharge of the Basins,  
10 delivers diverted river water through pipelines to offset pumping in the more challenged areas of  
11 the Basins, and pumps and delivers groundwater from areas near the river that are more easily  
12 recharged to offset pumping in areas experiencing more acute overdraft.

13           19.     UWCD operates as a water wholesaler and water management district, but it does  
14 not have regulatory authority over pumpers or diverters within the District. When the State Water  
15 Resources Control Board threatened to adjudicate pumping on the Oxnard Plain following the  
16 drought of the late 1970s, FCGMA was created in 1982, to manage groundwater resources locally  
17 in southern Ventura County, including the Basins. The prime objective and purpose of FCGMA  
18 are to preserve the local water resources for agricultural, municipal, and industrial uses for the  
19 common benefit of all water users by managing overdraft and the intrusion of saline waters.  
20 FCGMA is empowered to regulate pumping within the groundwater basins it manages, but it does  
21 not construct water projects. Although UWCD and FCGMA have helped limit pumping in the  
22 Basins, overdraft remains.

23     **D.     SGMA and the Groundwater Adjudication Statute**

24           20.     To address the problems of groundwater overdraft, the Legislature adopted SGMA  
25 in 2014 “[t]o provide for the sustainable management of groundwater basins.” Cal. Wat. Code §

26 \_\_\_\_\_  
27 <sup>2</sup> Background Report for Ventura County 2040 General Plan, Ch. 10, Water Resources, at 10-37  
28 (Sept. 15, 2020) available at [https://vc2040.org/images/Background\\_Report\\_-\\_September\\_2020/VCGPU\\_10\\_Adopted\\_Water\\_September\\_2020.pdf](https://vc2040.org/images/Background_Report_-_September_2020/VCGPU_10_Adopted_Water_September_2020.pdf).

1 10720.1. SGMA requires the creation of one or more local groundwater sustainability agencies  
2 (“GSA”) in each basin designated as medium- or high-priority. The GSAs must then develop and  
3 implement GSPs to manage their groundwater basins to achieve sustainable groundwater  
4 management—defined as management and use of the groundwater in a manner without causing  
5 undesirable results. FCGMA is the GSA for the Basins.

6 21. SGMA provides groundwater management tools and authorities to the GSAs,  
7 including powers to require measuring and reporting of groundwater extractions, limiting the  
8 amount of extractions, imposing fees for groundwater management, and enforcing the terms of a  
9 GSP. Importantly, however, SGMA did not change the longstanding framework of groundwater  
10 pumping rights established by California courts. *See Garner et al., The Sustainable Groundwater*  
11 *Management Act and the Common Law of Groundwater Rights—Finding a Consistent Path*  
12 *Forward for Groundwater Allocation*, 38 UCLA J. Env’t L. & Pol’y 163, 166-67, 185-98 (2020).  
13 Specifically, SGMA provides that “nothing in [the Act], or in any groundwater management plan  
14 adopted pursuant to [the Act], determines or alters . . . groundwater rights under common law.”  
15 Cal. Wat. Code § 10720.5(b). Similarly, SGMA affirms that a GSA-implemented limitation on  
16 pumping “shall not be construed to be a final determination of rights to extract groundwater.” *Id.*  
17 § 10726.4(a)(2).

18 22. In 2015, the Legislature enacted an additional statute (the “**Groundwater**  
19 **Adjudication Statute**”) to harmonize the sustainability goals of SGMA with common law water  
20 rights and the traditional role performed by the California courts in managing groundwater basins  
21 through a “physical solution,” a form of judicial remedy in such cases. *See* Code of Civil Proc. §  
22 830 *et seq.* The Groundwater Adjudication Statute contains numerous procedural rules for cases  
23 of this sort and directs that it shall be applied consistent with the goals, among others of: (1)  
24 protecting water rights consistent with Article X, section 2 of the California Constitution; (2)  
25 conducting comprehensive adjudications in a manner that promotes efficiency, reduces  
26 unnecessary delays, and provides due process; (3) encouraging the compromise and settlement of  
27 comprehensive adjudications; (4) conducting a comprehensive adjudication in a manner that is

1 consistent with the achievement of groundwater sustainability within the timeframes of SGMA;  
2 and (5) establishing procedures by which courts may conduct comprehensive determinations of all  
3 rights and priorities to groundwater in a basin. *See id.* § 830(b)(1)-(5). It also: (1) authorizes the  
4 court to “determine all groundwater rights of a basin, whether based on appropriation, overlying  
5 right, or other basis of right, and use of storage space in the basin,” *id.* § 834(a); and (2) provides  
6 that “[t]he court shall have the authority and the duty to impose a physical solution on the parties  
7 in a comprehensive adjudication where necessary and consistent with Article 2 of Section X of the  
8 California Constitution... [after considering] any existing groundwater sustainability plan or  
9 program.” *Id.* § 849.

10 **E. History of Allocation Negotiations**

11 23. OPV Coalition and its growers participated in good faith in FCGMA’s groundwater  
12 management efforts for years. OPV Coalition representatives attended stakeholder workshops and  
13 GMA board meetings, provided comments on drafts of FCGMA’s GSPs, and employed Dr. Steven  
14 Bachman, a hydrogeologist, to participate in FCGMA’s Technical Advisory Group.

15 24. At FCGMA’s request, the OPV Coalition organized stakeholders to negotiate an  
16 allocation plan for the Basin, which culminated in a whitepaper issued in February 2018 (“OPV  
17 **Whitepaper**”).

18 25. After three years of negotiation, the OPV Coalition obtained support for the OPV  
19 Whitepaper from approximately 85 percent of the agricultural community as well as most of the  
20 municipal water providers.

21 **F. FCGMA Allocation Ordinance**

22 26. Rather than adopting the widely supported OPV Whitepaper, FCGMA passed an  
23 allocation ordinance in October of 2019 (“**Allocation Ordinance**”) that deviated from the OPV  
24 Whitepaper on several critical issues, including adoption of an allocation methodology based  
25 exclusively on historical use of groundwater during a period many years ago and without any  
26 minimum allocation per acre, and an approach for reducing individual allocations over time to  
27 achieve sustainable management that was inconsistent with the OPV Whitepaper.

28



1           27.    The California Environmental Quality Act, Cal. Pub. Res. Code § 21000 *et seq.*  
2 (“CEQA”) requires that any agency taking discretionary action to consider whether the proposed  
3 action will impact the environment. If impacts are found, the agency must prepare a study and  
4 determine the appropriate level of CEQA review. Alternatively, the agency can determine a  
5 proposed discretionary project is exempt from CEQA, either by statute or categorical exemption.

6           28.    Section 1.9 of the Allocation Ordinance summarily concludes, without reference to  
7 any other finding, that “[t]his ordinance is exempt from [CEQA] pursuant to Water Code section  
8 107.28.6 and CEQA Guidelines sections 15061(b)(3), 15307 and 15308.” No additional analysis  
9 was included in the staff report, and the Allocation Ordinance is infirm under CEQA.

10          29.    OPV Coalition objected in writing<sup>3</sup> and in public comments at a public hearing on  
11 the Allocation Ordinance, explaining why the CEQA exemptions cited by FCGMA did not apply.  
12 FCGMA, nonetheless, adopted the Allocation Ordinance.

13          30.    Even after enactment of the Allocation Ordinance, Plaintiffs sought to resolve their  
14 concerns through extensive discussion and negotiation with FCGMA. Plaintiffs proposed a tolling  
15 agreement and a facilitation process to which FCGMA agreed. Despite nearly a year of  
16 professionally facilitated negotiation, disagreements remain. A Comprehensive Adjudication is  
17 thus the only path forward to reach an equitable water rights allocation that can assist stakeholders  
18 to prepare reliably for the future and manage the Basin.

19          31.    Plaintiffs exhausted all available administrative remedies by participating in  
20 FCGMA’s public processes and submitting timely written and oral comments.

21           **G.    GSPs**

22          32.    FCGMA adopted a GSP for each of the Basins on December 13, 2019.<sup>4</sup>

23          33.    These GSPs are deficient in a number of ways. First, the groundwater management  
24 strategies in the GSPs are unsupported by evidence. The critical, undesirable outcome to be  
25 avoided in the Basins is the intrusion of seawater, which renders the groundwater non-potable and  
26 useless for beneficial use. Thus, under SGMA, FCGMA was required to set certain minimum

27 <sup>3</sup> See [https://ventura.granicus.com/MetaViewer.php?view\\_id=45&clip\\_id=5357&meta\\_id=726998](https://ventura.granicus.com/MetaViewer.php?view_id=45&clip_id=5357&meta_id=726998).

28 <sup>4</sup> The GSPs are available in full at <https://fcgma.org/groundwater-sustainability-plan>.

1 thresholds and measurable objectives in its GSPs to ensure that seawater intrusion is kept under  
2 control. FCGMA's approach was to start with the management strategies it intended to use, do  
3 computer modeling based on a handful of scenarios implementing those preferred strategies, and  
4 then set minimum thresholds and measurable objectives based on its modeling. In so doing,  
5 FCGMA ignored well-known and more reliable empirical methods.

6         34.       Second, even under FCGMA's modeled conditions, its management approach  
7 could not solve the problem of seawater intrusion. At Plaintiffs' request, hydrogeologist Dr.  
8 Steven Bachman reviewed the GSPs in draft form.<sup>5</sup> His report is attached to Plaintiffs' public  
9 comments on the draft GSPs.<sup>6</sup> Dr. Bachman's analysis confirmed that FCGMA's management  
10 strategies, even under its own model, would result in seawater intrusion into one of the subbasins'  
11 aquifers and loss of freshwater into the ocean from another aquifer. The modeled estimate reveals  
12 that the approach in the GSPs will produce an annual loss (waste) of more than 4,000 acre-feet per  
13 year ("AFY") of fresh water into the ocean. The intrusion of seawater into the subbasins' aquifers  
14 and the loss of freshwater into the ocean would reduce the freshwater that pumpers can extract  
15 sustainably—or, in the parlance of SGMA, a lower "sustainable yield." The loss of sustainable  
16 yield reduces the groundwater available to holders of water rights in the Basins.

17         35.       Third, the GSPs set thresholds for seawater intrusion at inland wells rather than  
18 coastal wells, resulting in management criteria not necessary, and not rationally developed, to  
19 avoid undesirable results.

20         36.       Fourth, because of the foregoing problems, the GSPs do not set their minimum  
21 thresholds and measurable objectives according to the GSPs' own criteria. For example, the  
22 Oxnard Plain GSP states that "the measurable objective is the water level at which there is neither  
23 seawater flow into nor freshwater flow out of the" relevant aquifers. But the GSP does not set a  
24 measurable objective that could achieve this result. Because they are not rationally tied to even  
25

26 <sup>5</sup> Despite numerous public comments criticizing the plans, they were adopted as drafted.

27 <sup>6</sup> See September 23, 2019 Comment Letter from O'Melveny & Myers LLP, *available at*  
28 <https://fcgma.org/component/phocadownload/category/74-revised-draft-gsp-for-oxnard-subbasin?download=634:o-melveny-myers-llp-comments>.

1 the GSP's own stated objectives, the minimum thresholds and measurable objectives are arbitrary  
2 and capricious.

3 37. The FCGMA disregarded comments on the above-described deficiencies and  
4 adopted the GSPs with "minimum thresholds" (as the term is defined in SGMA) that both waste  
5 water in violations of Article X, section 2, and that are modeled to fail in controlling seawater  
6 intrusion. Plaintiffs exhausted all available administrative remedies by participating in FCGMA's  
7 public processes and submitting timely written and oral comments.

8 **H. Tolling Agreements and Negotiation Facilitation**

9 38. Plaintiffs sought to resolve their concerns with the Allocation Ordinance and GSPs  
10 through extensive negotiation with FCGMA. In 2019, Plaintiffs proposed a facilitation process to  
11 which FCGMA agreed. Plaintiffs also entered into a tolling agreement with the FCGMA to toll  
12 the running of statutes of limitations relating to the Allocation Ordinance and GSPs in 2020 while  
13 the facilitation proceeded. Because these professionally facilitated negotiations have not yielded a  
14 resolution, and because FCGMA has declined to continue to extend the applicable tolling  
15 agreements, this lawsuit is the only path forward to an equitable and lawful result.

16 **FIRST CAUSE OF ACTION**

17 **Declaratory Relief Against All Defendants**

18 **(Request for Comprehensive Groundwater Adjudication; Code of Civ. Proc. §§ 830 *et seq.*)**

19 39. Plaintiffs reallege and incorporate herein, as if set forth in full, each and every  
20 allegation contained in paragraphs 1 through 38 inclusive, of this Complaint.

21 40. An actual controversy has arisen and now exists between Plaintiffs, on the one  
22 hand, and Defendants, on the other hand: the Basins are in a state of critical overdraft, and are  
23 experiencing seawater intrusion, such that groundwater extraction must be limited and managed.  
24 Plaintiffs contend the allocation system created by FCGMA ordinance is inequitable, harms many  
25 longtime water users (including Plaintiffs), infringes on established property rights, is contrary to  
26 the common law, and does not meet the requirements of the California Constitution and SGMA.  
27 FCGMA and certain Doe Defendants contend otherwise.



1 **THIRD CAUSE OF ACTION**

2 **Writ of Mandate (October 2019 Allocation Ordinance) Against FCGMA**

3 45. Plaintiffs reallege and incorporate herein, as if set forth in full, each and every  
4 allegation contained in paragraphs 1 through 44 inclusive, of this Complaint.

5 46. Plaintiffs seek a writ of mandate pursuant to Code of Civil Procedure section  
6 1085(a) to require FCGMA to vacate, rescind, and set aside the Allocation Ordinance.

7 47. The Allocation Ordinance improperly allocates groundwater in a manner that is not  
8 consistent with applicable common law.

9 48. By enacting the Allocation Ordinance, FCGMA has acted beyond the scope of its  
10 power, authority, and jurisdiction, has abused its discretion, and has violated its duty to follow  
11 California law.

12 49. Plaintiffs have a beneficial interest in ensuring that FCGMA does not seek to  
13 enforce an ordinance that exceeds FCGMA's authority, violates California law, and interferes with  
14 Plaintiffs' property rights, and would be irreparably harmed thereby.

15 50. Plaintiffs have no plain, speedy, and adequate remedy at law other than the relief  
16 sought to determine the merits of its challenge to the Allocation Ordinance.

17 **FOURTH CAUSE OF ACTION**

18 **Writ of Mandate (Groundwater Sustainability Plan—Oxnard Subbasin) Against FCGMA**

19 51. Plaintiffs reallege and incorporate herein, as if set forth in full, each and every  
20 allegation contained in paragraphs 1 through 50 inclusive, of this Complaint.

21 52. Plaintiffs seek a writ of mandate pursuant to Code of Civil Procedure section  
22 1085(a) to require FCGMA to vacate, rescind, and set aside the Oxnard Subbasin GSP.

23 53. Plaintiffs and other parties submitted comments on drafts of the Oxnard Subbasin  
24 GSP, raising the same issues upon which this Petition is based.

25 54. As FCGMA's own estimates show, the GSP's sustainable management criteria  
26 improperly and unnecessarily limit the sustainable yield of the Oxnard Subbasin. FCGMA set the  
27 GSP's minimum thresholds and measurable objectives by looking directly to the results of  
28

1 groundwater model runs, rather than first determining, through real-world measurement, what  
2 management criteria the Basin must meet to achieve sustainability. This method is backward;  
3 SGMA requires the GMA to select management criteria to prevent undesirable results.  
4 Additionally, the GSP set thresholds for seawater intrusion at inland wells rather than coastal  
5 wells, resulting in management criteria not necessary, and not rationally developed, to avoid  
6 undesirable results. Because of these fundamental flaws, the GSP does not even meet its own  
7 criteria for what the minimum thresholds and measurable objectives are supposed to accomplish.  
8 For all these reasons, the GSP is arbitrary, capricious, entirely unsupported by evidence, unfair,  
9 and unlawful.

10 55. The GSP is also unlawful because it violates the constitutional requirement that  
11 water be put to maximum beneficial use and not wasted. *See* Cal. Const., art. X, § 2.

12 56. The GSP also violates the common law rights of property owners by reducing the  
13 groundwater available to holders of water rights in the Basin in a manner that is unfair, arbitrary,  
14 capricious, and entirely unsupported by evidence. By adopting the Oxnard GSP, FCGMA has  
15 acted beyond the scope of its power, authority, and jurisdiction, has abused its discretion, and has  
16 violated its duty to follow California law.

17 57. Plaintiffs have a beneficial interest in ensuring that FCGMA does not seek to  
18 enforce a GSP that exceeds FCGMA's authority, violates California law, and interferes with  
19 Plaintiffs' property rights, and would be irreparably harmed thereby.

20 58. Plaintiffs have no plain, speedy, and adequate remedy at law other than the relief  
21 sought to determine the merits of its challenge to the Oxnard GSP.

#### 22 FIFTH CAUSE OF ACTION

#### 23 **Writ of Mandate (Groundwater Sustainability Plan—Pleasant Valley) Against FCGMA**

24 59. Plaintiffs reallege and incorporate herein, as if set forth in full, each and every  
25 allegation contained in paragraphs 1 through 58 inclusive, of this Complaint.

26 60. Plaintiffs seek a writ of mandate pursuant to Code of Civil Procedure section  
27 1085(a) to require FCGMA to vacate, rescind, and set aside the Pleasant Valley GSP.



1 pursuant to the CEQA. FCGMA violated its legal duty under CEQA, Public Resources Code §§  
2 21000 *et seq.*, and the CEQA Guidelines, 14 Code of Regulations §§ 15000 *et seq.*, by adopting a  
3 categorical exemption without demonstrating, with substantial evidence, that the Allocation  
4 Ordinance constituted an action to assure the maintenance, preservation, or enhancement of the  
5 environment.

6 68. SGMA does not exempt the Allocation Ordinance from CEQA review.

7 69. Plaintiffs have exhausted all available administrative and other remedies regarding  
8 these deficiencies.

9 70. Plaintiffs have no plain, speedy, or adequate remedy at law. Unless the requested  
10 writ of mandate and injunctive relief is granted, Plaintiffs will be irreparably harmed, which  
11 cannot be adequately compensated with money or other legal remedies.

12 **PRAYER FOR RELIEF**

13 WHEREFORE, Plaintiffs pray for judgment as follows:

14 1. For an order adjudicating and fixing the respective rights to the extraction and use  
15 of groundwater from the Basins, and the rights to use of the storage space in the Basins, among all  
16 users of such groundwater and quieting title to all such rights (Code of Civ. Proc. § 834), and for  
17 the imposition of a physical solution on all parties after considering the GSPs (Code of Civ. Proc.  
18 § 849).

19 2. For an order declaring the Allocation Ordinance, Oxnard GSP, and Pleasant Valley  
20 GSP to be invalid.

21 3. For the issuance of a writ of mandate requiring FCGMA to set aside, vacate, and  
22 rescind the Allocation Ordinance, Oxnard GSP, and Pleasant Valley GSP.

23 4. For the issuance of a writ of mandate requiring FCGMA to comply with the  
24 requirements of CEQA for the Allocation Ordinance, including preparing an initial study to  
25 identify the appropriate level of environmental review due to the potential and foreseeable  
26 environmental impacts of the Allocation Ordinance.

27 5. For any and all other relief that the Court deems just and proper.  
28



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: June 15, 2021

O'MELVENY & MYERS LLP

By:   
Russell McGlothlin

MATT KLINE  
RUSSELL MCGLOTHLIN  
MADHU POCHA  
HEATHER WELLES  
O'MELVENY & MYERS  
LLP  
1999 Avenue of the Stars,  
8th Fl.,  
Los Angeles, CA 90067  
Telephone: (310) 553-6700  
Facsimile: (310) 246-6779  
mkline@omm.com  
rmcglathlin@omm.com  
mpocha@omm.com  
hwelles@omm.com

Attorneys for Plaintiffs and Petitioners  
OPV Coalition, et al.

JUN 15 2021

**BRENDA L. McCORMICK**  
Executive Officer and Clerk

By \_\_\_\_\_, Deputy  
**MARIANA SUAZO**

1 MATT KLINE (Bar No. 211640)  
2 RUSSELL MCGLOTHLIN (Bar No. 208826)  
3 MADHU POCHA (Bar No. 260997)  
4 HEATHER WELLES (Bar No. 302256)  
5 O'MELVENY & MYERS LLP  
6 1999 Avenue of the Stars, 8th Fl., Los Angeles, CA 90067  
7 Telephone: (310) 553-6700  
8 Facsimile: (310) 246-6779  
9 [mcline@omm.com](mailto:mcline@omm.com)  
10 [rmcglotlin@omm.com](mailto:rmcglotlin@omm.com)  
11 [mpocha@omm.com](mailto:mpocha@omm.com)  
12 [hwelles@omm.com](mailto:hwelles@omm.com)

13 Attorneys for Petitioners and Plaintiffs  
14 OPV Coalition et al.

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
16 **COUNTY OF VENTURA**

17 OPV COALITION, an unincorporated  
18 association; PVR OXNARD, LLC; DUDA  
19 WESTSIDE OXNARD, LLC; HHR OXNARD,  
20 LLC; MONTGOMERY PROPERTIES LLC;  
21 MARY C. MENNE & ASSOCIATES; ET  
22 AGRICULTURAL ASSOCIATES, LLC; THE  
23 IVAN AND MOLLY SOHRAKOFF TRUST;  
24 THE SUSAN NAUMANN TRUST; THE  
25 RICHARD W NAUMANN TRUST; ARNOLD  
26 RANCH, LLC; J & P DOUGLAS FAMILY  
27 TRUST; SHOZI BROTHERS, LLP; SHOZI  
28 BROTHERS, LLC; JOSE C. MARTINEZ AND  
MARIA ELENA MARTINEZ; WILDCAT  
INVESTMENTS, LLC; GREYHER FARMING  
COMPANY, INC.; SARA NAUMANN  
MCANDREWS LIVING TRUST; BANJO  
RANCH LLC; DINGALING RANCH LLC;  
APTOS BERRY FARMS, INC.; BERKSHIRE  
INVESTMENTS, LLC; DOUD HAILES  
ROAD, LLC; ROCKINOEE, LP AND TARA  
ENTERPRISES, LP; WOOLEY BERRY  
FARMS, LLC; LANAI INVESTORS, LLC;  
P&R PROPERTIES; PIERPONT BAY  
RANCH; ROBERT C. DEBUSSCHERE AND  
DEBUSSCHERE MORRIS FAMILY TRUST;  
HECTOR DEBUSSCHERE TRUST ET AL;  
THE DEBUSSCHERE MORRIS FAMILY  
TRUST; LAS POSAS CAMARILLO CA, LP;  
WEST GONZALES ROAD OXNARD, LLC;  
NAUMANN ROAD OXNARD, LP; DUFAU  
ROAD OXNARD, LP; ROUND MOUNTAIN  
ROAD CAMARILLO CA, LP; SANTA  
CLARA AVENUE OXNARD, LP; JAMES F.  
NAUMANN TRUST; BENGARD

CASE NO. 56-2021-00555357-CU-PT-VTA

**NOTICE OF COMMENCEMENT OF  
ACTION (Pub. Res. Code § 21167.5)**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DEBUSSCHERE LAND CO LLC; CARR  
CANYON PROPERTIES LLC; AMS  
MELINDA LLC; AMS CRAIG, LLC; AMS  
ROXANNE, LLC; CONNELLY RANCH, LLC;  
ARAICH LIMITED, S.A, AMS CHARLENE,  
LLC

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; and DOES 1 through 3000, inclusive,

Defendants.

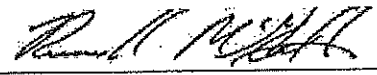
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

TO FOX CANYON GROUNDWATER MANAGEMENT AGENCY:

Pursuant to Pub. Res. Code § 21167.5, notice is hereby given that an action will be commenced against The Fox Canyon Groundwater Management Agency ("FCGMA") by filing for a Petition for Writ of Mandate challenging FCGMA's adoption of the October 2019 Allocation Ordination ("the Ordinance"). The Petition will challenge FCGMA's failure to comply with requirements of the California Environmental Quality Act ("CEQA"), and FCGMA's claim that the Ordinance is exempt from CEQA and will seek equitable relief to remedy FCGMA's unlawful actions. The Petition will be filed in the above-entitled court on or about June 15, 2021 and will be served pursuant to the requirements of Public Resources Code §§ 21167.6(a) and 21167.6.5

DATED: June 15, 2021

O'MELVENY & MYERS LLP

By:   
Russell McGlothlin

Attorney for Plaintiffs and Petitioners  
OPV Coalition et al.

VENTURA  
SUPERIOR COURT  
**FILED**

JUN 15 2021

**BRENDA L. McCORMICK**  
Executive Officer and Clerk  
By: \_\_\_\_\_, Deputy

**MARIANA SUAZO**

1 MATT KLINE (Bar No. 211640)  
2 RUSSELL MCGLOTHLIN (Bar No. 208826)  
3 MADHU POCHA (Bar No. 260997)  
4 HEATHER WELLES (Bar No. 302256)  
5 O'MELVENY & MYERS LLP  
6 1999 Avenue of the Stars, 8th Fl.,  
7 Los Angeles, CA 90067  
8 Telephone: (310) 553-6700  
9 Facsimile: (310) 246-6779  
10 mkline@omm.com  
11 rmcglothlin@omm.com  
12 mpocha@omm.com  
13 hwelles@omm.com

14 Attorneys for Petitioners and Plaintiffs  
15 OPV Coalition et al.

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

17 **COUNTY OF VENTURA**

18 OPV COALITION, an unincorporated  
19 association; PVR OXNARD, LLC; DUDA  
20 WESTSIDE OXNARD, LLC; HHR OXNARD,  
21 LLC; MONTGOMERY PROPERTIES LLC;  
22 MARY C. MENNE & ASSOCIATES; ET  
23 AGRICULTURAL ASSOCIATES, LLC; THE  
24 IVAN AND MOLLY SOHRAKOFF TRUST;  
25 THE SUSAN NAUMANN TRUST; THE  
26 RICHARD W NAUMANN TRUST; ARNOLD  
27 RANCH, LLC; J & P DOUGLAS FAMILY  
28 TRUST; SHOZI BROTHERS, LLP; SHOZI  
BROTHERS, LLC; JOSE C. MARTINEZ AND  
MARIA ELENA MARTINEZ; WILDCAT  
INVESTMENTS, LLC; GREYHER FARMING  
COMPANY, INC.; SARA NAUMANN  
MCANDREWS LIVING TRUST; BANJO  
RANCH LLC; DINGALING RANCH LLC;  
APTOS BERRY FARMS, INC.; BERKSHIRE  
INVESTMENTS, LLC; DOUD HAILES  
ROAD, LLC; ROCKINOEE, LP AND TARA  
ENTERPRISES, LP; WOOLEY BERRY  
FARMS, LLC; LANAI INVESTORS, LLC;  
P&R PROPERTIES; PIERPONT BAY RANCH;  
ROBERT C. DEBUSSCHERE AND  
DEBUSSCHERE MORRIS FAMILY TRUST;  
HECTOR DEBUSSCHERE TRUST ET AL;  
THE DEBUSSCHERE MORRIS FAMILY  
TRUST; LAS POSAS CAMARILLO CA, LP;  
WEST GONZALES ROAD OXNARD, LLC;  
NAUMANN ROAD OXNARD, LP; DUFAU  
ROAD OXNARD, LP; ROUND MOUNTAIN  
ROAD CAMARILLO CA, LP; SANTA CLARA  
AVENUE OXNARD, LP; JAMES F.  
NAUMANN TRUST; BENGARD

CASE NO.

56-2021-00555357-CU-PT-VTA

**PROOF OF SERVICE**

1 DEBUSSCHERE LAND CO LLC; CARR  
2 CANYON PROPERTIES LLC; AMS  
3 MELINDA LLC; AMS CRAIG, LLC; AMS  
4 ROXANNE, LLC; CONNELLY RANCH, LLC;  
5 ARAICH LIMITED, S.A; AMS CHARLENE,  
6 LLC

7 Plaintiffs,

8 v.

9 FOX CANYON GROUNDWATER  
10 MANAGEMENT AGENCY, a public entity; all  
11 persons unknown, claiming any legal or  
12 equitable right, title, estate, lien or interest in  
13 the property described in the complaint adverse  
14 to plaintiffs' title or any cloud on plaintiffs' title  
15 thereto; and DOES 1 through 3000, inclusive,

16 Defendants.

17 **PROOF OF SERVICE**

18 I, Russ McGlothlin, declare:

19 I am a citizen of the United States and employed in Los Angeles County,  
20 California. I am over the age of eighteen years and not a party to the within-entitled action. My  
21 business address is 1999 Avenue of the Stars #700, Los Angeles, CA 90067.

22 On June 15, 2021, I served the following document(s):

23 **NOTICE OF COMMENCEMENT OF ACTION**

24 (Pub. Res. Code § 21167.5)

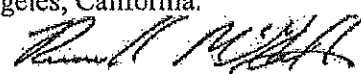
25  BY OVERNIGHT MAIL: I am personally and readily familiar with the business  
26 practice of O'Melveny & Myers LLP for collection and processing of correspondence  
27 for overnight delivery, and where indicated below I caused such document(s) described  
28 herein to be deposited for delivery to a facility regularly maintained by for overnight  
delivery

on the following part(ies) in this action:

Fox Canyon Groundwater Management Agency  
800 South Victoria Avenue  
Ventura, CA 93009-1610

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

Executed on June 15, 2021, at Los Angeles, California.

  
\_\_\_\_\_  
Russ McGlothlin

1 MATT KLINE (Bar No. 211640)  
2 RUSSELL MCGLOTHLIN (Bar No. 208826)  
3 MADHU POCHA (Bar No. 260997)  
4 HEATHER WELLES (Bar No. 302256)  
5 O'MELVENY & MYERS LLP  
6 1999 Avenue of the Stars, 8th Fl., Los Angeles, CA 90067  
7 Telephone: (310) 553-6700  
8 Facsimile: (310) 246-6779  
9 [mkline@omm.com](mailto:mkline@omm.com)  
10 [rmcglathlin@omm.com](mailto:rmcglathlin@omm.com)  
11 [mpocha@omm.com](mailto:mpocha@omm.com)  
12 [hwelles@omm.com](mailto:hwelles@omm.com)

13 Attorneys for Petitioners and Plaintiffs  
14 OPV Coalition et al.

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
16 COUNTY OF VENTURA

17 OPV COALITION, an unincorporated  
18 association; PVR OXNARD, LLC; DUDA  
19 WESTSIDE OXNARD, LLC; HHR OXNARD,  
20 LLC; MONTGOMERY PROPERTIES LLC;  
21 MARY C. MENNE & ASSOCIATES; ET  
22 AGRICULTURAL ASSOCIATES, LLC; THE  
23 IVAN AND MOLLY SOHRAKOFF TRUST;  
24 THE SUSAN NAUMANN TRUST; THE  
25 RICHARD W NAUMANN TRUST; ARNOLD  
26 RANCH, LLC; J & P DOUGLAS FAMILY  
27 TRUST; SHOZI BROTHERS, LLP; SHOZI  
28 BROTHERS, LLC; JOSE C. MARTINEZ AND  
MARIA ELENA MARTINEZ; WILDCAT  
INVESTMENTS, LLC; GREYHER FARMING  
COMPANY, INC.; SARA NAUMANN  
MCANDREWS LIVING TRUST; BANJO  
RANCH LLC; DINGALING RANCH LLC;  
APTOS BERRY FARMS, INC.; BERKSHIRE  
INVESTMENTS, LLC; DOUD HAILES  
ROAD, LLC; ROCKINOEE, LP AND TARA  
ENTERPRISES, LP; WOOLEY BERRY  
FARMS, LLC; LANAI INVESTORS, LLC;  
P&R PROPERTIES; PIERPONT BAY  
RANCH; ROBERT C. DEBUSSCHERE AND  
DEBUSSCHERE MORRIS FAMILY TRUST;  
HECTOR DEBUSSCHERE TRUST ET AL;  
THE DEBUSSCHERE MORRIS FAMILY  
TRUST; LAS POSAS CAMARILLO CA, LP;  
WEST GONZALES ROAD OXNARD, LLC;  
NAUMANN ROAD OXNARD, LP; DUFAU  
ROAD OXNARD, LP; ROUND MOUNTAIN  
ROAD CAMARILLO CA, LP; SANTA  
CLARA AVENUE OXNARD, LP; JAMES F.  
NAUMANN TRUST; BENGARD

VENTURA  
SUPERIOR COURT  
**FILED**

JUN 15 2021

BRENDA L. McCORMICK  
Executive Officer and Clerk  
By: \_\_\_\_\_, Deputy

MARIANA SUAZO

CASE NO. 56-2021-00555357-CU-PT-VTA

NOTICE AND REQUEST TO  
PREPARE THE RECORD OF  
PROCEEDINGS (Pub. Res. Code §  
21167.6(a))

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DEBUSSCHERE LAND CO LLC; CARR  
CANYON PROPERTIES LLC; AMS  
MELINDA LLC; AMS CRAIG, LLC; AMS  
ROXANNE, LLC; CONNELLY RANCH, LLC;  
ARAICH LIMITED, S.A.; AMS CHARLENE,  
LLC

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; and DOES 1 through 3000, inclusive,

Defendants.



1 TO FOX CANYON GROUNDWATER MANAGEMENT AGENCY:

2 PLEASE TAKE NOTICE THAT, pursuant to Public Resources Code §21167.6(a),  
3 Plaintiff OPV Coalition et al. ("Petitioner") requests that Respondent Fox Canyon Groundwater  
4 Management Agency ("FCGMA"), prepare a record of proceedings, if any, concerning the  
5 adoption of the 2019 Allocation Ordinance ("the Ordinance"). If no record exists as part of a  
6 formal hearing process, Petitioner requests any and all communications/writings related to the  
7 subject matter as described in the CEQA Writ to constitute the Record in this proceeding. The  
8 record of proceedings shall include all those documents and transcripts listed in and required by  
9 Public Resources Code §21167.6(e).

10 DATED: June 15, 2021

O'MELVENY & MYERS LLP

11 By: 

12 Russell McGlothlin

13 MATT KLINE  
14 RUSSELL MCGLOTHLIN  
15 MADHU POCHA  
16 HEATHER WELLES  
17 O'MELVENY & MYERS LLP  
18 1999 Avenue of the Stars, 8th Fl.,  
19 Los Angeles, CA 90067  
20 Telephone: (310) 553-6700  
21 Facsimile: (310) 246-6779  
22 mkline@omm.com  
23 rmcglathlin@omm.com  
24 mpocha@omm.com  
25 hwelles@omm.com

26 Attorney for Plaintiffs and Petitioners  
27 OPV Coalition et al.  
28

**DIRECTORS**

Peter W. Hansen

Craig R. Kaihara

Thomas P. Vujovich, Jr.

John S. Broome

John D. Menne



**PLEASANT VALLEY COUNTY WATER DISTRICT**

PIONEER IN FOX CANYON AQUIFER CONSERVATION  
SERVING AGRICULTURE SINCE 1956

154 S. LAS POSAS ROAD, CAMARILLO, CA 93010-8570  
Phone: 805-482-2119  
Fax: 805 484-5835

**STAFF**

Jared L. Bouchard  
**General Manager**

**General Counsel**  
Arnold, Bleuel,  
LaRochelle,  
Mathews & Zirbel,  
LLP

MINUTES OF SPECIAL MEETING OF THE  
BOARD OF DIRECTORS  
PLEASANT VALLEY COUNTY WATER DISTRICT HELD  
Tuesday November 15<sup>th</sup>, 2022 @ 10:00a.m.

Pursuant of notice given, a Special Meeting of the Board of Directors of the Pleasant Valley County Water District was held on Tuesday November 15<sup>th</sup>, 2022 @ 10:00 a.m. in the district headquarters facility, 154 S. Las Posas Rd, Camarillo, CA.

Call to Order

The meeting was called to order at 10:02 a.m. by Board President Vujovich.

Agenda Item #1- Pledge of Allegiance - led by Board President Vujovich

Agenda #2- Roll Call

Attendance at the meeting was as follows:

Directors Present:

Thomas P. Vujovich, Jr., President

Director John Menne

Director John Broome

Director Craig Kaihara

Director Peter Hansen

Directors Absent:

None

Staff Present: John Matthews, Attorney

Jared Bouchard, General Manager

### Agenda #3 – Determination of Quorum

Quorum was established

### Agenda Item #4 – Approval of Agenda

A motion to approve the agenda was made by Director Broome; seconded by Director Hansen. Motion passed unanimously with a 5-0 vote and the agenda was approved as presented.

Ayes: -5- Directors: Vujovich, Broome, Kaihara, Hansen, Menne

Ney's: -0-

Absent: -0-

### Agenda item #5 – Approval of Minutes

A motion to approve the minutes of the Special Board meeting held on August 30<sup>th</sup>, 2022, as amended was made by Director Broome, and seconded by Director Hansen. Motion to approve the minutes as amended passed unanimously with a 5-0 vote, a correction to item 8A was made. Director Menne had arrived prior to voting on item 8A, his aye vote was added to the minutes.

Ayes: -5- Directors: Vujovich, Broome, Kaihara, Hansen, Menne

Ney's: -0-

Absent: -0-

### Agenda item #6 -Open Forum

Public comment:

Heidy Gonzales of Reiter Brothers was present but had no public comment.

### Agenda Item #7 – Action Items

#### A. Ratification of Checks

A motion was made by Director Broome, seconded by Director Menne to ratify the checks issued and funds transferred since September 22<sup>nd</sup>, 2022. The Motion passed unanimously with a 5-0 vote and a list of checks ratified is appended to these minutes

Ayes: -5- Directors: Vujovich, Broome, Kaihara, Hansen, Menne

Ney's: -0-

Absent: -0-

B. Consider Resolution 22-06 authorizing the continuation of remote meetings.

A motion to authorize Resolution 22-06 authorizing the continuation of remote meetings was made by Director Broome; seconded by Director Kaihara. Motion passed unanimously with a 5-0 vote.

Ayes: -5- Directors: Vujovich, Broome, Kaihara, Hansen, Menne

Ney's: -0-

Absent: -0-

C. FY 21/22 Audit Services

Engagement letter from Fanning and Karrh was reviewed for FY 21/22 Audit Services. A motion was made by Director Broome, Seconded by Director Hansen to approve and sign the Engagement Letter with Fanning and Karrh not to exceed the amount of 19k for Audit services during FY 21/22. Motion passed unanimously with a 5-0 vote.

Ayes: 5-Directors: Vujovich, Menne, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

D. Consider Pleasant Valley County Water District Private Reservoirs Storage Program Pilot Agreement(s)

General Manager Bouchard presented an overview of the PVCWD Private Reservoirs Storage Program and discussed the need for Agreements with the two participating Pilot Program members Guadalupe Mutual Water Company and Reiter Brothers. A Motion to approve General Manager Bouchard to move forward with Private Reservoir Program Pilot Agreements between Guadalupe and Reiter Brothers was made by Director Kaihara, seconded by Director Menne. Motion passed unanimously with a 4-0 vote.

Ayes: -4-Directors: Vujovich, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

Abstained- 1- Menne

Agenda Item #8 - General Manager Comments

General Manager Bouchard had no comments to report.

Agenda Item #9 – Other Business

No other business to report.

Agenda Item #10 – Closed Session

The Board went into closed session per Subdivision (d) of the California Government Code Section 54956.9© to conference with legal counsel on potential or existing litigations.

The Board concluded Closed session at 11:53 a.m. General and Special counsel did not have any discussion on potential litigation and no specific action was taken.

The meeting was adjourned upon a motion duly made seconded, and carried unanimously at 11:54 a.m.

Respectfully Submitted:

Minutes Approval:

\_\_\_\_\_  
Jared Bouchard, General Manager

\_\_\_\_\_  
Thomas Vujovich, Board President

**Pleasant Valley County Water District**  
**Meeting Bank Accounts Register**  
**As of December 9, 2022**

<i>Type</i>	<i>Date</i>	<i>Num</i>	<i>Name</i>	<i>Amount</i>
<b>1000 · Cash</b>				
<b>1010 · Pacific Western-Checking</b>				
Paycheck	11/14/2022	DD16...	Jared Bouchard	
Paycheck	11/14/2022	DD16...	Daniel J Vasquez	
Paycheck	11/14/2022	DD16...	Nancy M Lawrence	
Paycheck	11/14/2022	DD16...	Paul A Otero	
Liability Check	11/14/2022		QuickBooks Payroll Serv...	(14,977.07)
Check	11/15/2022		Pacific Western Bank	(10.00)
Check	11/15/2022	eft	Pacific Western Bank	(85.00)
Check	11/15/2022	eft	WEX BANK	(1,034.56)
Check	11/15/2022	eft	WEX BANK	(1,515.48)
Check	11/18/2022	eft	SoCalGas	(29.05)
Check	11/25/2022	eft	CalPERS-Retirement	(131.17)
Check	11/25/2022	eft	CalPERS	(2,669.17)
Check	11/25/2022	eft	CalPERS	(6,324.60)
Paycheck	11/28/2022	DD16...	Daniel J Vasquez	
Paycheck	11/28/2022	DD16...	Nancy M Lawrence	
Paycheck	11/28/2022	DD16...	Paul A Otero	
Paycheck	11/28/2022	DD16...	Jared Bouchard	
Liability Check	11/28/2022		QuickBooks Payroll Serv...	(14,502.51)
Bill Pmt -Check	11/30/2022	9384	Access Information Man...	(463.66)
Bill Pmt -Check	11/30/2022	9385	AFFORDABLE TELEPH...	(296.55)
Bill Pmt -Check	11/30/2022	9386	AIRGAS USA, LLC	(49.80)
Bill Pmt -Check	11/30/2022	9387	Arnold, LaRochelle, Etal	(15,168.00)
Bill Pmt -Check	11/30/2022	9388	AT&T Mobility	(97.85)
Bill Pmt -Check	11/30/2022	9389	BROADBAND MICROWA...	(129.00)
Bill Pmt -Check	11/30/2022	9390	BROWNSTEIN HYATT F...	(2,776.76)
Bill Pmt -Check	11/30/2022	9391	Camrosa Water District	(137,374.04)
Bill Pmt -Check	11/30/2022	9392	City of Camarillo	(70.86)
Bill Pmt -Check	11/30/2022	9393	Dial Security	(72.00)
Bill Pmt -Check	11/30/2022	9394	E.J. Harrison & Sons	(200.05)
Bill Pmt -Check	11/30/2022	9395	FRONTIER	(167.04)
Bill Pmt -Check	11/30/2022	9396	Fumio Sasaki	(67.48)
Bill Pmt -Check	11/30/2022	9397	Hands-On Consultations	(129.00)
Bill Pmt -Check	11/30/2022	9398	Michael K. Nunley & Ass...	(10,864.75)
Bill Pmt -Check	11/30/2022	9399	Muni Billing	(14,411.76)
Bill Pmt -Check	11/30/2022	9400	Promaid, Inc.	(210.00)
Bill Pmt -Check	11/30/2022	9401	Prudential Overall Supply	
Bill Pmt -Check	11/30/2022	9402	STREAMLINE	(300.00)
Bill Pmt -Check	11/30/2022	9403	U S Bank Payment Center	(1,421.85)
Bill Pmt -Check	11/30/2022	9404	Underground Service Alert	(50.25)
Bill Pmt -Check	11/30/2022	9405	UWCD	(26,050.44)
Bill Pmt -Check	11/30/2022	9406	XIO, INC.	(584.00)
Bill Pmt -Check	11/30/2022	9407	BROWNSTEIN HYATT F...	(639.50)
Bill Pmt -Check	11/30/2022	9408	Michael K. Nunley & Ass...	(9,792.00)
Bill Pmt -Check	11/30/2022	9409	Michael K. Nunley & Ass...	(6,514.00)
Check	11/30/2022	eft	CalPERS	(440.64)
Check	11/30/2022	eft	CalPERS	(440.64)
Check	11/30/2022	eft	CalPERS	(822.15)
Check	11/30/2022	eft	CalPERS	(1,082.28)
Bill Pmt -Check	12/01/2022	9410	ACWA/JPIA	(15,699.00)
Bill Pmt -Check	12/02/2022	9411	Atlantis Utility Inc	(301.94)
Bill Pmt -Check	12/02/2022	9412	Prudential Overall Supply	(108.58)
Bill Pmt -Check	12/02/2022	9413	STREAMLINE	(300.00)
Bill Pmt -Check	12/02/2022	9414	Underground Service Alert	(66.00)
Bill Pmt -Check	12/02/2022	9415	Culligan of Ventura Cou...	(117.50)

3:07 PM

12/08/22

Accrual Basis

**Pleasant Valley County Water District**  
**Meeting Bank Accounts Register**  
**As of December 9, 2022**

---

<b>Type</b>	<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Amount</b>
Bill Pmt -Check	12/02/2022	9416	ACWA/JPIA	(470.42)
Bill Pmt -Check	12/05/2022	9417	Access Information Man...	(463.66)
Bill Pmt -Check	12/05/2022	9418	BONDY GROUNDWATE...	(956.25)
Bill Pmt -Check	12/05/2022	9419	Camrosa Water District	(163,553.05)
Bill Pmt -Check	12/05/2022	9420	Hands-On Consultations	(475.00)
Bill Pmt -Check	12/05/2022	9421	Prudential Overall Supply	(54.29)
Check	12/06/2022	eft	SCE/Payment Processing	(73,371.52)
Total 1010 · Pacific Western-Checking				(527,902.17)
Total 1000 · Cash				(527,902.17)
<b>TOTAL</b>				<b><u>(527,902.17)</u></b>

**DIRECTORS**

Peter W. Hansen

Craig R. Kaihara

Thomas P. Vujovich, Jr.

John S. Broome

John D. Menne



**PLEASANT VALLEY COUNTY WATER DISTRICT**

PIONEER IN FOX CANYON AQUIFER CONSERVATION  
SERVING AGRICULTURE SINCE 1956

154 S. LAS POSAS ROAD, CAMARILLO, CA 93010-8570  
Phone: 805-482-2119  
Fax: 805 484-5835

**STAFF**

Jared L. Bouchard  
**General Manager**

**General Counsel**  
Arnold, Bleuel, LaRoche,  
Mathews & Zirbel, LLP

**December 13th, 2022, SPECIAL MEETING**

**TO: BOARD OF DIRECTORS**

**FROM: NANCY LAWRENCE**

**AGENDA ITEM: 7B**

**Subject:** Consider Resolution 22-07 A Resolution of the Board of Directors of PLEASANT VALLEY COUNTY WATER DISTRICT requesting that their Landowner General District Election to Be Held on May 2<sup>nd</sup>, 2023, be consolidated with Other Elections Called to Be Held on the Same Day and in the Same Territory

**AGENDA ITEM: 7B**

Attached for the Boards reference is the request from the County Clerk and Recorder division requiring the additionally attached Resolution 22-07 be submitted to the County Elections for the consolidation of elections no later than December 26<sup>th</sup>, 2022.

Three seats on the Pleasant Valley Board are set to expire in December 2023. Directors, Menne, Broome and Hansen are the seats up for reelection. If an election is necessary the date of the Election will be May 2<sup>nd</sup>, 2023.

The election candidate filing period begins with , forms available at the Ventura County Clerk's office on Monday January 9<sup>th</sup>, 2023, and closes Wednesday February 3<sup>rd</sup>, 2023.

**RECOMMENDATION: Adopt Resolution 22-07**



**DIRECTORS**

Peter W. Hansen

Craig R. Kaihara

Thomas P. Vujovich, Jr.

John S. Broome

John D. Menne



**PLEASANT VALLEY COUNTY WATER DISTRICT**

PIONEER IN FOX CANYON AQUIFER CONSERVATION  
SERVING AGRICULTURE SINCE 1956

154 S. LAS POSAS ROAD, CAMARILLO, CA 93010-8570  
Phone: 805-482-2119  
Fax: 805 484-5835

**STAFF**

Jared L. Bouchard  
**General Manager**

**General Counsel**  
Arnold, Bleuel,  
LaRochelle,  
Mathews & Zirbel,  
LLP

**RESOLUTION No. 22-07**  
A Resolution of the Board of Directors of  
**PLEASANT VALLEY COUNTY WATER DISTRICT**

Requesting that their Landowner General District Election to Be Held on May 2, 2023, be Consolidated with Other Elections Called to Be Held on the Same Day and in the Same Territory

WHEREAS, an election shall be conducted for the **Pleasant Valley County Water District** pursuant to the Uniform District Election Law commencing with Section 10500 of the Elections Code on May 2, 2023, for the purpose of electing 3 full term Directors.

WHEREAS, the Board of Directors wishes the Elections Division of the Office of the County Clerk to conduct said election; and

WHEREAS, pursuant to Section 10400 et seq. of the Elections Code, said election may be consolidated with other elections to be held on the same day; and

WHEREAS, the Board of Directors desires to request that this District's General District Election be consolidated with any other election, which may be held on the same date and involving the same territory.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS as follows:

THAT the General District Election of this District is to be held on May 2, 2023, and consolidated with any other elections held on the same date and involving all of a portion of the territory of the District pursuant to Section 10400 et seq. of the Elections Code: and further

THAT, pursuant to Elections Code Section 13307, the District shall reimburse the County in full for the services performed upon presentation of a bill from the County to the District.

PASSED, APPROVED AND ADOPTED this 13th day of December 2022.

ATTEST:

\_\_\_\_\_  
Thomas P. Vujovich, Jr. President

\_\_\_\_\_  
Jared Bouchard, General Manager



**County of Ventura  
COUNTY CLERK AND RECORDER**

**MARK A. LUNN**  
County Clerk and Recorder  
Registrar of Voters

**MICHELLE ASCENCION**  
Assistant County Clerk and Recorder

**MIRANDA L. NOBRIGA**  
Assistant Registrar of Voters

**MARTIN E. COBOS**  
Operations Manager

November 21, 2022

Mr. Jared Bouchard, General Manager  
Pleasant Valley County Water District  
154 South Las Posas Road  
Camarillo, CA 93010

**Re: Landowner General District Election May 2, 2023**

Dear Mr. Bouchard:

Enclosed is an abbreviated calendar of events actions as applicable. The following documents are to be returned by Monday, December 26, 2022:

1. Resolution requesting consolidation election to be conducted (E.C. §10502)
2. "Notice of Elective Offices to be Filled" and whether the candidate or the district will bear the cost of the candidate statement (form enclosed)
3. Criteria for determining tie votes by lot (E.C. §15651)
4. A copy of your governing board's Conflict of Interest Code
5. "Request for Specified Election Services" form (form enclosed)
6. A map showing the boundaries of the district. (E.C. §10524)

The nomination period opens on Monday, January 9, 2023, and closes on Friday, February 3, 2023. The extension period ending on Wednesday, February 8<sup>th</sup> in those cases where the incumbent does not file. Please remember that upon issuance of the nomination documents the completed check sheet should be emailed immediately for verification of the candidate's eligibility to [Candidate.Filing@Ventura.org](mailto:Candidate.Filing@Ventura.org).

USB Drives with Nomination Documents and instructions on the nomination procedures will be mailed at a later date.

If you have any questions or require additional documents, please feel free to call Monica Terrones at (805) 654-5031.

Sincerely,

*Miranda L. Nobriga*

**MIRANDA L. NOBRIGA**  
Assistant Registrar of Voters

***Preserving History • Protecting Democracy***



COUNTY OF VENTURA  
ELECTIONS DIVISION CALENDAR  
MAY 2, 2023 LANDOWNER MAIL BALLOT ELECTION

December 26, 2022 (E - 127)	Last day to submit resolution to County calling the election. (Resolution, Offices to be Filled, Request for Specified Election Services and map due to the County)
January 4, 2023 (E - 118)	County to Publish Notice of Election
January 9, 2023 (E - 113)	Nomination period begins
January 13, 2023 (E-- 109) --	District to request latest equalized assessment roll from Assessor's office in order to tabulate eligible votes per parcel
February 3, 2023 (E - 88 5:00 p.m.)	Last day of nomination period
February 4 - 8, 2023 (E - 87-83)	Extension of nomination period
February 9, 2023 (E - <b>82</b> )	Random alpha drawing
February 24, 2023 (E - 67)	County Voter Information Guides to printers
March 6 - April 18 (E - 57-14)	Write-In Candidate Filing Period
March 9, 2023 (E - 54)	District to provide the County a mailing list of landowners qualified under the principal act of the District to vote
April 3, 2023 (E - 29)	Mail County Voter Information Guides
April 3, 2023 (E - 29)	Mail Landowner Ballots
May 2, 2023 (E)	Election Day
June 1, 2023 (E + 30)	Completion of official canvass







**MARK A. LUNN**  
**Clerk-Recorder, Registrar of Voters**  
**Elections Division**

**VENTURA COUNTY**  
**REQUEST FOR SPECIFIED ELECTION SERVICES**  
**CANDIDATES**

TO: **MARK A. LUNN**, Clerk-Recorder, Registrar of Voters

FROM: Pleasant Valley County Water District \_\_\_\_\_  
Landowner District Signature of Authorization

ELECTION: Land Owner General District Election DATE: \_\_\_\_\_

**SERVICES REQUESTED:** Place a check mark nextto the item selected.

**ITEM #1 PUBLICATIONS**

- \_\_\_\_\_ A County elections official is requested to publish: Notice of Election for Offices.
- \_\_\_\_\_ B. District will publish.

**ITEM#2 CANDIDATE CERTIFICATES AND OATHS OF OFFICE**

- \_\_\_\_\_ A County elections official is requested to furnish Certificates and Oaths of Office.
1. \_\_\_\_\_ Blank forms only - number requested \_\_\_\_.
2. 3 Forms filled in appropriately - number requested 3
- \_\_\_\_\_ B. District will furnish Certificates and Oaths of Office.

**ITEM #3 ELECTION NIGHT RESULTS**

- \_\_\_\_\_ On-line results
- \_\_\_\_\_ E-mail nancy@pvcwater.com / jared@pvcwater.com .....

**ELECTIONS DIVISION SERVICES PROVIDED:**

**CANDIDATE FORMS** - Ventura County Elections Division to provide one master set for copying.

**PRINTING OF SAMPLE BALLOTS** - Ventura County Elections Division will arrange for printing Candidates' Statements in the County Voter Information Guide for each election.



**VOTE BY MAIL BALLOTS** - Ventura County Elections Division will process all Vote By Mail ballots, including ballot mailing.

The undersigned requests the above election services to be performed by the Ventura County Elections Official and pursuant to Elections Code Section 10002, agrees to reimburse the County in full for services requested upon presentation of a bill.

Name of Landowner District Pleasant Valley County Water District

Signature & Title: \_\_\_\_\_

Date: 12/13/2022