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Special Counsel for Santa Paula Basin Pumpers Association

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF VENTURA

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA
and DOES 1 through 1,000, inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

- vs -

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

CASE NO. CV115611

Assigned for All Purposes to:
Honorable Vincent O'Neil
Department 40

**NOTICE OF PUMPER STIPULATIONS TO
ACCOMPANY MOTION TO AMEND AND
RESTATE JUDGMENT**

**(Post Judgment Proceeding, Judgment Entered
March 7, 1996)**

Date: Tuesday, August 24, 2010
Time: 8:30 AM

Reservation Number: 1374940

1 TO ALL PARTIES to the above-captioned action:

2 PLEASE TAKE NOTICE that the following stipulations for intervention and assignment
3 of groundwater production allocations are filed to accompany the Notice of Motion and Motion
4 to Amend and Restate the Santa Paula Basin Judgment to be heard on August 24, 2010, at 8:30
5 am in Department 40.

6 These include stipulations from the following entities:

- 7 1) The Wade N. Zimmerman III and Patricia P. Zimmerman 1994 Trust
- 8 2) The Yoon Family Trust Dated August 10, 2007
- 9 3) The Santa Paula Airport Associatin, LTD
- 10 4) Charles W. Rogers, Jason C. Rogers, & Aaron W. Rogers
- 11 5) Richard T. and Ruth L. Ray
- 12 6) Esther B. Martinez
- 13 7) Elias & Guadalupe Garcia
- 14 8) Dabney, George & Rebecca Trust Inter Vivos
- 15 9) Joel and Carmen Chavez
- 16 10) Kenneth M. and Joy C. Chapman Family Trust
- 17 11) Canine Adoption & Rescue League

18
19 Dated: July 13, 2010

BROWNSTEIN HYATT FARBER SCHRECK, LLP

20
21 By: 

Russell M. McGlothlin

Attorneys for Santa Paula Basin Pumpers Association

PROOF OF SERVICE

I, Maria Klachko-Blair, declare:

I am employed in the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action. My business address is Brownstein Hyatt Farber Schreck LLP, 21 E. Carrillo Street, Santa Barbara, California 93101. I am over the age of eighteen years and not a party to the action in which this service is made.

On July 14, 2010, I served the document described as:

**NOTICE OF PUMPERS STIPULATIONS TO ACCOMPANY MOTION TO AMEND
AND RESTATE JUDGMENT**

on the interested parties in this action by enclosing the document(s) in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

- ☒ BY MAIL: I am "readily familiar" with this firm's practice for the collection and the processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, the correspondence would be deposited with the United States Postal Service at 21 E. Carrillo Street, Santa Barbara, California 93101, with postage thereon fully prepaid the same day on which the correspondence was placed for collection and mailing at the firm. Following ordinary business practices, I placed for collection and mailing with the United States Postal Service such envelope at Brownstein Hyatt Farber Schreck LLP, 21 E. Carrillo Street, Santa Barbara, California 93101.
- ☐ BY FEDERAL EXPRESS ☐ UPS NEXT DAY AIR ☐ OVERNIGHT DELIVERY: I deposited such envelope in a facility regularly maintained by ☐ FEDERAL EXPRESS ☐ UPS ☐ Overnight Delivery [specify name of service:] with delivery fees fully provided for or delivered the envelope to a courier or driver of ☐ FEDERAL EXPRESS ☐ UPS ☐ OVERNIGHT DELIVERY [specify name of service:] authorized to receive documents at Brownstein Hyatt Farber Schreck LLP, 21 E. Carrillo Street, Santa Barbara, California 93101, with delivery fees fully provided for.
- ☐ BY FACSIMILE: I telecopied a copy of said document(s) to the following addressee(s) at the following number(s) in accordance with the written confirmation of counsel in this action.
- ☒ [State] I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☐ [Federal] I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 14, 2010, at Santa Barbara, California.



MARIA KLACHKO-BLAIR

PROOF OF SERVICE MAILING LIST

United Water Conservation District vs. City of San Buenaventura

Plaintiff and Defendant

Limoneira Company, Alta Mutual Water Co.,

Intervenors

City of San Buena Ventura vs. Limoneira Company, Alta Mutual Water Co.,

Cross-Complainant and Cross-Defendants

Ventura County Superior Court Case No. CV115611

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Sacramento, CA 95814

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Pete Fallini, Chairman
133 North 10th Street
Santa Paula, CA 93060

City of Santa Paula
Jaime Fontes, City Manager
P.O. Box 569
Santa Paula, CA 93061

Frank Brommenschenkel
DBA Frank B & Associates
134 Davis
Santa Paula, CA 93060

United Water Conservation District
Attn: Tony Trembly
106 N. 8th Street
Santa Paula, CA 93060

City of Ventura
Ariel Calonne
501 Poli Street
Ventura, CA 93002

RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40

**STIPULATION TO ALLOW THE WADE
N. ZIMMERMAN III AND PATRICIA P.
ZIMMERMAN 1994 TRUST TO
INTERVENE POST JUDGMENT AND TO
AMEND JUDGMENT TO JOIN THE
WADE N. ZIMMERMAN III AND
PATRICIA P. ZIMMERMAN 1994 TRUST
AS A PARTY TO THE JUDGMENT.**

This Stipulation is entered into as of the 29th day of December, 2009, at Santa Paula,

California, between Santa Paula Basin Pumpers Association ("Association"), City of San

SB 527086 v1:007655.0001

1 Buenaventura, United Water Conservation District (collectively the “Santa Paula Basin Technical
2 Advisory Committee “or “TAC”) and the Wade N. Zimmerman III and Patricia P. Zimmerman
3 1994 Trust (“Zimmerman Trust”) with regard to the following facts and intentions:

4 A. This Stipulation concerns the judgment entered by the Ventura County Superior
5 Court in the above captioned action on March 7, 1996 (“Judgment”) to settle competing claims to
6 produce groundwater from the Santa Paula Basin (“Basin”), and to establish a physical solution for
7 the optimal perpetual management of the Basin.

8 B. This Court retained continuing jurisdiction over the action to ensure the reasonable,
9 beneficial, and efficient use of the Basin’s water resources in accordance with the provisions of the
10 prescribed physical solution and the requirements of Article X, Section 2 of the California
11 Constitution. (Judgment, §17, pp. 25-26.)

12 C. The Judgment sets forth various Basin pumping allocations, including an allocation
13 of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the
14 Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the
15 Judgment further divides the Association’s 27,500 acre-foot allocation into “Individual Party
16 Allocations,” which are respectively allocated to the Association’s members.

17 D. Section 3(a) of the Judgment also obligates the Association to use its continuing best
18 efforts to obtain the voluntary joinder of any non-party to the Judgment.

19 E. The Zimmerman Trust has been producing groundwater from the Basin for
20 beneficial uses on lands overlying the Basin since before the Judgment was entered in 1996, but was
21 not identified as a groundwater producer in the Judgment, was not named as a Party to this action,
22 and consequentially did not receive an Individual Party Allocation under the Judgment.

23 F. The Zimmerman Trust now desires to: (1) intervene in and become a party to this
24 action pursuant to the Court’s reserved jurisdiction; (2) join as a member of the Association; and (3)
25 obtain an Individual Party Allocation consistent with its historical production of groundwater from
26 the Basin.

27 G. The Zimmerman Trust, or its predecessor, produced an annual average of at least
28 20.8 acre-feet of groundwater from the Basin prior to the entry of the Judgment in 1996, and has

1 continued to produce this amount for beneficial use as an annual average since.

2 H. Based upon the Zimmerman Trust's historical groundwater production, and the
3 mutual desire of the Zimmerman Trust and the members of the TAC to ensure the balanced,
4 comprehensive, and efficient management of the Basin pursuant to the Judgment's prescribed
5 physical solution, Zimmerman Trust and each member of the TAC concur that it is appropriate to
6 limit Zimmerman Trust groundwater production from the Basin, and to assign an Individual Party
7 Allocation of 20.8 acre-feet.

8 I. The TAC, which is responsible for the monitoring and management of the Basin
9 consistent with the Judgment's terms, believes that this allocation of Individual Party Allocation to
10 the Zimmerman Trust, together with other new Individual Party Allocations concurrently requested,
11 will add only an insignificant amount of additional demand upon the Basin, and when produced
12 consistent with the physical solution set forth in the Judgment, will not result in an adverse impact
13 to the Basin's hydrogeologic condition.

14 THEREFORE, IT IS AGREED AND STIPULATED THAT:

15 The Zimmerman Trust be allowed to intervene in the above-captioned action as a post-
16 judgment proceeding, and that the Judgment be amended to reflect the joinder of the Zimmerman
17 Trust as a party to the Judgment, with an Individual Party Allocation of 20.8 acre-feet.

18 *[signatures on following page]*
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1 Dated: January , 2010
2 *March 30, 2010*

SANTA PAULA BASIN PUMPERS
ASSOCIATION

3
4 By: *Peter Fallini*
Peter Fallini
Chairman of the Board.

5
6 Dated: January , 2010
7 *March 19, 2010*

CITY OF SAN BUENAVENTURA

8 By: *Ron Calkins*
Ron Calkins
Director of Public Works

9
10 Dated: January , 2010
11 *March 22,*

UNITED WATER CONSERVATION DISTRICT

12 By: *Michael Solomon*
Michael Solomon
General Manager

13
14 Dated: December 29, 2009

THE WADE N. ZIMMERMAN III AND
PATRICIA P. ZIMMERMAN 1994 TRUST

15
16
17 By: *Wade N Zimmerman III TRUSTEE*
Wade N. Zimmerman III
Trustee

RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
 AARON E. BAKER (State Bar No. 261973)
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Attorneys for Defendant
 SANTA PAULA BASIN PUMPERS ASSOCIATION

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF VENTURA**

UNITED WATER CONSERVATION
 DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
 DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
 MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
 MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

**Assigned for All Purposes to the
 Honorable Vincent O'Neill
 Department 40**

**STIPULATION TO ALLOW THE YOON
 FAMILY TRUST DATED AUGUST 10,
 2007 TO INTERVENE POST JUDGMENT
 AND TO AMEND JUDGMENT TO JOIN
 THE YOON FAMILY TRUST DATED
 AUGUST 10, 2007 AS A PARTY TO THE
 JUDGMENT.**

This Stipulation is entered into as of the 26th day of ^{January 2010} ~~December, 2009~~, at Santa Paula,

California, between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura,

1 United Water Conservation District (collectively the "Santa Paula Basin Technical Advisory
2 Committee " or "TAC") and The Yoon Family Trust Dated August 10, 2007 ("Yoon Trust") with
3 regard to the following facts and intentions:

4 A. This Stipulation concerns the judgment entered by the Ventura County Superior
5 Court in the above captioned action on March 7, 1996 ("Judgment") to settle competing claims to
6 produce groundwater from the Santa Paula Basin ("Basin"), and to establish a physical solution for
7 the optimal perpetual management of the Basin.

8 B. This Court retained continuing jurisdiction over the action to ensure the reasonable,
9 beneficial, and efficient use of the Basin's water resources in accordance with the provisions of the
10 prescribed physical solution and the requirements of Article X, Section 2 of the California
11 Constitution. (Judgment, §17, pp. 25-26.)

12 C. The Judgment sets forth various Basin pumping allocations, including an allocation
13 of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the
14 Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the
15 Judgment further divides the Association's 27,500 acre-foot allocation into "Individual Party
16 Allocations," which are respectively allocated to the Association's members.

17 D. Section 3(a) of the Judgment also obligates the Association to use its continuing best
18 efforts to obtain the voluntary joinder of any non-party to the Judgment.

19 E. The Yoon Trust has been producing groundwater from the Basin for beneficial uses
20 on lands overlying the Basin since before the Judgment was entered in 1996, but was not identified
21 as a groundwater producer in the Judgment, was not named as a Party to this action, and
22 consequentially did not receive an Individual Party Allocation under the Judgment.

23 F. The Yoon Trust now desires to: (1) intervene in and become a party to this action
24 pursuant to the Court's reserved jurisdiction; (2) join as a member of the Association; and (3) obtain
25 an Individual Party Allocation consistent with its historical production of groundwater from the
26 Basin.

27 G. The Yoon Trust, or its predecessor, produced an annual average of at least 31.0 acre-
28 feet of groundwater from the Basin prior to the entry of the Judgment in 1996, and has continued to

1 produce this amount for beneficial use as an annual average since.

2 H. Based upon the Yoon Trust's historical groundwater production, and the mutual
3 desire of the Yoon Trust and the members of the TAC to ensure the balanced, comprehensive, and
4 efficient management of the Basin pursuant to the Judgment's prescribed physical solution, the
5 Yoon Trust and each member of the TAC concur that it is appropriate to limit the Yoon Trust's
6 groundwater production from the Basin, and to assign the Yoon Trust an Individual Party
7 Allocation of 31.0 acre-feet.

8 I. The TAC, which is responsible for the monitoring and management of the Basin
9 consistent with the Judgment's terms, believes that this allocation of Individual Party Allocation to
10 the Yoon Trust, together with other new Individual Party Allocations concurrently requested, will
11 add only an insignificant amount of additional demand upon the Basin, and when produced
12 consistent with the physical solution set forth in the Judgment, will not result in an adverse impact
13 to the Basin's hydrogeologic condition.

14 THEREFORE, IT IS AGREED AND STIPULATED THAT:

15 The Yoon Trust be allowed to intervene in the above-captioned action as a post-judgment
16 proceeding, and that the Judgment be amended to reflect the joinder of the Yoon Trust as a party to
17 the Judgment, with an Individual Party Allocation of 31.0 acre-feet.

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1 Dated: ~~December~~, 2009
2 March 30, 2010

SANTA PAULA BASIN PUMPERS
ASSOCIATION

3
4 By: Peter T. Fallini
Peter Fallini
Chairman of the Board.

5
6 Dated: ~~December~~, 2009
7 March 19, 2010

CITY OF SAN BUENAVENTURA

8 By: Ronald J. Calkins
Ron Calkins
Director of Public Works

9
10 Dated: ~~December~~, 2009
11 March 22,

UNITED WATER CONSERVATION DISTRICT

12 By: E. Michael Solomon
Michael Solomon
General Manager

13 January 26, 2010
14 Dated: ~~December~~, 2009

THE YOON FAMILY TRUST DATED AUGUST
10, 2007

15
16 By: Soo Han Yoon
Soo Han Yoon
Co-Trustee

17
18 By: S Sharon Yoon
S Sharon Yoon
Co-Trustee

RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
AARON E. BAKER (State Bar No. 261973)
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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA**

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

**Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40**

**STIPULATION TO ALLOW THE SANTA
PAULA AIRPORT ASSOCIATION, LTD
TO INTERVENE POST JUDGMENT AND
TO AMEND JUDGMENT TO JOIN SANTA
PAULA AIRPORT ASSOCIATION, LTD
AS A PARTY TO THE JUDGMENT.**

This Stipulation is entered into as of the 25th day of January, 2010, at Santa Paula,
California, between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura,
United Water Conservation District (collectively the "Santa Paula Basin Technical Advisory

1 Committee “ or “TAC”) and the Santa Paula Airport Association, LTD (“Airport”) with regard to
2 the following facts and intentions:

3 A. This Stipulation concerns the judgment entered by the Ventura County Superior
4 Court in the above captioned action on March 7, 1996 (“Judgment”) to settle competing claims to
5 produce groundwater from the Santa Paula Basin (“Basin”), and to establish a physical solution for
6 the optimal perpetual management of the Basin.

7 B. This Court retained continuing jurisdiction over the action to ensure the reasonable,
8 beneficial, and efficient use of the Basin’s water resources in accordance with the provisions of the
9 prescribed physical solution and the requirements of Article X, Section 2 of the California
10 Constitution. (Judgment, §17, pp. 25-26.)

11 C. The Judgment sets forth various Basin pumping allocations, including an allocation
12 of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the
13 Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the
14 Judgment further divides the Association’s 27,500 acre-foot allocation into “Individual Party
15 Allocations,” which are respectively allocated to the Association’s members.

16 D. Section 3(a) of the Judgment also obligates the Association to use its continuing best
17 efforts to obtain the voluntary joinder of any non-party to the Judgment.

18 E. The Airport has been producing groundwater from the Basin for beneficial uses on
19 lands overlying the Basin since before the Judgment was entered in 1996, but it was not identified
20 as a groundwater producer in the Judgment, was not named as a Party to this action, and
21 consequentially did not receive an Individual Party Allocation under the Judgment.

22 F. The Airport now desires to: (1) intervene in and become a party to this action
23 pursuant to the Court’s reserved jurisdiction; (2) join as a member of the Association; and (3) obtain
24 an Individual Party Allocation consistent with its historical production of groundwater from the
25 Basin.

26 G. The Airport, or its predecessor, has produced and desires to continue to produce,
27 groundwater from the Basin in a quantity not to exceed 5 acre-feet per year.

28 H. Based upon the Airport’s historical groundwater production, and the mutual desire of

1 the Airport and the members of the TAC to ensure the balanced, comprehensive, and efficient
2 management of the Basin pursuant to the Judgment's prescribed physical solution, the Airport and
3 each member of the TAC concur that it is appropriate to limit the Airport's future groundwater
4 production from the Basin, and to assign to it a de minimus Individual Party Allocation, to authorize
5 it to produce groundwater from the Basin in quantities not to exceed 5 acre-feet per year.

6 I. The TAC, which is responsible for the monitoring and management of the Basin
7 consistent with the Judgment's terms, believes that this allocation of a de minimus Individual Party
8 Allocation to the Airport, together with other new Individual Party Allocations concurrently
9 requested, will add only an insignificant amount of additional demand upon the Basin, and when
10 produced consistent with the physical solution set forth in the Judgment, will not result in an
11 adverse impact to the Basin's hydrogeologic condition.

12 THEREFORE, IT IS AGREED AND STIPULATED THAT:

13 The Airport be allowed to intervene in the above-captioned action as a post-judgment
14 proceeding, and that the Judgment be amended to reflect the joinder of the Airport as a party to the
15 Judgment, with a de minimus Individual Party Allocation, which shall authorize production of
16 groundwater from the Basin in quantities not to exceed 5 acre-feet per year.

17 *[signatures on following page]*
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1 Dated: January __, 2010

SANTA PAULA BASIN PUMPERS
ASSOCIATION

2
3 *March 30, 2010*

4 By: *Peter F. Fallini*
5 Peter Fallini
6 Chairman of the Board.

7 Dated: January __, 2010

CITY OF SAN BUENAVENTURA

8 *March 19, 2010*

9 By: *Ronald Glass*
10 Ron Calkins
11 Director of Public Works

12 Dated: January __, 2010

UNITED WATER CONSERVATION DISTRICT

13 *March 22*

14 By: *Michael Solomon*
15 Michael Solomon
16 General Manager

17 Dated: January 25, 2010

THE SANTA PAULA AIRPORT
ASSOCIATION, LTD

18 By: *Rowena Mason*
19 Print Name: Rowena Mason
20 Capacity: President

RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
AARON E. BAKER (State Bar No. 261973)
BROWNSTEIN HYATT FARBER SCHRECK, LLP
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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA**

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

**Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40**

**STIPULATION TO ALLOW CHARLES W.
ROGERS, JASON C. ROGERS, & AARON
W. ROGERS TO INTERVENE POST
JUDGMENT AND TO AMEND
JUDGMENT TO JOIN ROGERS,
CHARLES W., JASON C., & AARON W.
AS PARTIES TO THE JUDGMENT.**

This Stipulation is entered into as of the 28th day of January, 2010, at Santa Paula,
California, between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura,

1 United Water Conservation District (collectively the “Santa Paula Basin Technical Advisory
2 Committee “ or “TAC”), on one hand, and Charles W. Rogers, Jason C. Rodgers, and Aaron W.
3 Rodgers (the “Rodgers”), on the other hand, with regard to the following facts and intentions:

4 A. This Stipulation concerns the judgment entered by the Ventura County Superior
5 Court in the above captioned action on March 7, 1996 (“Judgment”) to settle competing claims to
6 produce groundwater from the Santa Paula Basin (“Basin”), and to establish a physical solution for
7 the optimal perpetual management of the Basin.

8 B. This Court retained continuing jurisdiction over the action to ensure the reasonable,
9 beneficial, and efficient use of the Basin’s water resources in accordance with the provisions of the
10 prescribed physical solution and the requirements of Article X, Section 2 of the California
11 Constitution. (Judgment, §17, pp. 25-26.)

12 C. The Judgment sets forth various Basin pumping allocations, including an allocation
13 of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the
14 Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the
15 Judgment further divides the Association’s 27,500 acre-foot allocation into “Individual Party
16 Allocations,” which are respectively allocated to the Association’s members.

17 D. Section 3(a) of the Judgment also obligates the Association to use its continuing best
18 efforts to obtain the voluntary joinder of any non-party to the Judgment.

19 E. The Rogers have been producing groundwater from the Basin for beneficial uses on
20 lands overlying the Basin since before the Judgment was entered in 1996, but it was not identified
21 as a groundwater producer in the Judgment, was not named as a Party to this action, and
22 consequentially did not receive an Individual Party Allocation under the Judgment.

23 F. The Rogers now desire to: (1) intervene in and become a party to this action pursuant
24 to the Court’s reserved jurisdiction; (2) join as a member of the Association; and (3) obtain an
25 Individual Party Allocation consistent with its historical production of groundwater from the Basin.

26 G. The Rogers, or their predecessor, have produced and desire to continue to produce,
27 groundwater from the Basin in a quantity not to exceed 5 acre-feet per year.

28 H. Based upon the Rogers’s historical groundwater production, and the mutual desire of

1 The Rogers and the members of the TAC to ensure the balanced, comprehensive, and efficient
2 management of the Basin pursuant to the Judgment's prescribed physical solution, the Rogers and
3 each member of the TAC concur that it is appropriate to limit the Rogers' future groundwater
4 production from the Basin, and to assign to it a de minimus Individual Party Allocation, to authorize
5 it to produce groundwater from the Basin in quantities not to exceed 5 acre-feet per year.

6 I. The TAC, which is responsible for the monitoring and management of the Basin
7 consistent with the Judgment's terms, believes that this allocation of a de minimus allocation of
8 Individual Party Allocation to the Rogers, together with other new Individual Party Allocations
9 concurrently requested, will add only an insignificant amount of additional demand upon the Basin,
10 and when produced consistent with the physical solution set forth in the Judgment, will not result in
11 an adverse impact to the Basin's hydrogeologic condition.

12 THEREFORE, IT IS AGREED AND STIPULATED THAT:

13 The Rogers be allowed to intervene in the above-captioned action as a post-judgment
14 proceeding, and that the Judgment be amended to reflect the joinder of the Rogers as a party to the
15 Judgment, with a de minimus Individual Party Allocation, which shall authorize production of
16 groundwater from the Basin in quantities not to exceed 5 acre-feet per year.

17 *[signatures on following page]*
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1 Dated: January __, 2010

SANTA PAULA BASIN PUMPERS
ASSOCIATION

2
3
4 By: _____
Peter Fallini
Chairman of the Board.

5 Dated: ~~January __, 2010~~

CITY OF SAN BUENAVENTURA

6 *March 19, 2010*

7
8 By: *Ronald J. Calkins*
Ron Calkins
Director of Public Works

9 Dated: January __, 2010

UNITED WATER CONSERVATION DISTRICT

10
11
12 By: _____
Michael Solomon
General Manager

13 Dated: January ~~28~~, 2010

CHARLES W. ROGERS

14
15 *Charles W. Rogers*

16 Dated: January ~~28~~, 2010

JASON C. ROGERS

17
18 *Jason C. Rogers*

19 Dated: January __, 2010

AARON W. ROGERS

20
21 By: _____

1 Dated: January __, 2010

SANTA PAULA BASIN PUMPERS
ASSOCIATION

2 March 30, 2010

3 By: Peter Fallini
4 Peter Fallini
5 Chairman of the Board.

6 Dated: January __, 2010

CITY OF SAN BUENAVENTURA

7 By: _____
8 Ron Calkins
9 Director of Public Works

10 Dated: January __, 2010

UNITED WATER CONSERVATION DISTRICT

11 March 22,

12 By: E. Michael Solomon
13 Michael Solomon
14 General Manager

15 Dated: January __, 2010

CHARLES W. ROGERS

16 Dated: January __, 2010

JASON C. ROGERS

17
18
19 Dated: January 22, 2010

AARON W. ROGERS

20
21 By: Aaron W. Rogers
22
23
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RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
AARON E. BAKER (State Bar No. 261973)
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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA**

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

**Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40**

**STIPULATION TO ALLOW RICHARD T.
AND RUTH L. RAY TO INTERVENE
POST JUDGMENT AND TO AMEND
JUDGMENT TO JOIN RICHARD T. AND
RUTH L. RAY AS A PARTY TO THE
JUDGMENT.**

This Stipulation is entered into as of the 28th day of February 2010, at Santa Paula,
California, between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura,
United Water Conservation District (collectively the "Santa Paula Basin Technical Advisory

Committee “ or “TAC”) and Richard T. and Ruth L. Ray (“Ray”) with regard to the following facts and intentions;

A. This Stipulation concerns the judgment entered by the Ventura County Superior Court in the above captioned action on March 7, 1996 (“Judgment”) to settle competing claims to produce groundwater from the Santa Paula Basin (“Basin”), and to establish a physical solution for the optimal perpetual management of the Basin.

B. This Court retained continuing jurisdiction over the action to ensure the reasonable, beneficial, and efficient use of the Basin’s water resources in accordance with the provisions of the prescribed physical solution and the requirements of Article X, Section 2 of the California Constitution. (Judgment, §17, pp. 25-26.)

C. The Judgment sets forth various Basin pumping allocations, including an allocation of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the Judgment further divides the Association’s 27,500 acre-foot allocation into “Individual Party Allocations,” which are respectively allocated to the Association’s members.

D. Section 3(a) of the Judgment also obligates the Association to use its continuing best efforts to obtain the voluntary joinder of any non-party to the Judgment.

E. RAY has been producing groundwater from the Basin for beneficial uses on lands overlying the Basin since before the Judgment was entered in 1996, but was not identified as a groundwater producer in the Judgment, was not named as a Party to this action, and consequentially did not receive an Individual Party Allocation under the Judgment.

F. Ray now desires to: (1) intervene in and become a party to this action pursuant to the Court’s reserved jurisdiction; (2) join as a member of the Association; and (3) obtain an Individual Party Allocation consistent with its historical production of groundwater from the Basin.

G. Ray produced an annual average of at least 5 acre-feet of groundwater from the Basin prior to the entry of the Judgment in 1996, and has continued to produce this amount for beneficial use as an annual average since.

H. Based upon Ray’s historical groundwater production, and the mutual desire of Ray

1 and the members of the TAC to ensure the balanced, comprehensive, and efficient management of
2 the Basin pursuant to the Judgment's prescribed physical solution, Ray and each member of the
3 TAC concur that it is appropriate to limit Ray's groundwater production from the Basin, and to
4 assign Ray an Individual Party Allocation of 5 acre-feet.

5 I. The TAC, which is responsible for the monitoring and management of the Basin
6 consistent with the Judgment's terms, believes that this allocation of Individual Party Allocation to
7 Ray, together with other new Individual Party Allocations concurrently requested, will add only an
8 insignificant amount of additional demand upon the Basin, and when produced consistent with the
9 physical solution set forth in the Judgment, will not result in an adverse impact to the Basin's
10 hydrogeologic condition.

11 THEREFORE, IT IS AGREED AND STIPULATED THAT:

12 Ray be allowed to intervene in the above-captioned action as a post-judgment proceeding,
13 and that the Judgment be amended to reflect the joinder of Ray as a party to the Judgment, with an
14 Individual Party Allocation of 5 acre-feet.

1 Dated: ~~February~~, 2010
2 *March 30, 2010*

SANTA PAULA BASIN PUMPERS
ASSOCIATION

3 By: *Peter F. Fallini*
4 Peter Fallini
5 Chairman of the Board.

6 Dated: ~~February~~, 2010
7 *March 19, 2010*

CITY OF SAN BUENAVENTURA

8 By: *Ron Calkins*
9 Ron Calkins
10 Director Of Public Works

11 Dated: ~~February~~, 2010
12 *March 22*

UNITED WATER CONSERVATION DISTRICT

13 By: *E. Michael Solomon*
14 E. Michael Solomon
15 General Manager

16 Dated: February *28*, 2010

RICHARD T. & RUTH L. RAY

17 BY: *Richard T. Ray*
18 Richard T. Ray

19 BY: *Ruth L. Ray*
20 Ruth L. Ray by Power of Attorney

RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
AARON E. BAKER (State Bar No. 261973)
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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA**

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40

**STIPULATION TO ALLOW ESTHER B.
MARTINEZ TO INTERVENE POST
JUDGMENT AND TO AMEND
JUDGMENT TO JOIN ESTHER B.
MARTINEZ AS A PARTY TO THE
JUDGMENT.**

This Stipulation is entered into as of the 21st day of February, 2010, at Santa Paula,

California, between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura,

United Water Conservation District (collectively the "Santa Paula Basin Technical Advisory

1 Committee “ or “TAC”) and Esther B. and Martinez (“Martinez”) with regard to the following facts
2 and intentions:

3 A. This Stipulation concerns the judgment entered by the Ventura County Superior
4 Court in the above captioned action on March 7, 1996 (“Judgment”) to settle competing claims to
5 produce groundwater from the Santa Paula Basin (“Basin”), and to establish a physical solution for
6 the optimal perpetual management of the Basin.

7 B. This Court retained continuing jurisdiction over the action to ensure the reasonable,
8 beneficial, and efficient use of the Basin’s water resources in accordance with the provisions of the
9 prescribed physical solution and the requirements of Article X, Section 2 of the California
10 Constitution. (Judgment, §17, pp. 25-26.)

11 C. The Judgment sets forth various Basin pumping allocations, including an allocation
12 of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the
13 Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the
14 Judgment further divides the Association’s 27,500 acre-foot allocation into “Individual Party
15 Allocations,” which are respectively allocated to the Association’s members.

16 D. Section 3(a) of the Judgment also obligates the Association to use its continuing best
17 efforts to obtain the voluntary joinder of any non-party to the Judgment.

18 E. Martinez has been producing groundwater from the Basin for beneficial uses on
19 lands overlying the Basin since before the Judgment was entered in 1996, but was not identified as a
20 groundwater producer in the Judgment, was not named as a Party to this action, and consequentially
21 did not receive an Individual Party Allocation under the Judgment.

22 F. Martinez now desires to: (1) intervene in and become a party to this action pursuant
23 to the Court’s reserved jurisdiction; (2) join as a member of the Association; and (3) obtain an
24 Individual Party Allocation consistent with its historical production of groundwater from the Basin.

25 G. Martinez, or its predecessor, produced an annual average of at least 34.3 acre-feet of
26 groundwater from the Basin prior to the entry of the Judgment in 1996, and has continued to
27 produce this amount for beneficial use as an annual average since.

28 H. Based upon Martinez’s historical groundwater production, and the mutual desire of

1 Martinez and the members of the TAC to ensure the balanced, comprehensive, and efficient
2 management of the Basin pursuant to the Judgment's prescribed physical solution, Martinez and
3 each member of the TAC concur that it is appropriate to limit Martinez's groundwater production
4 from the Basin, and to assign the Martinez an Individual Party Allocation of 34.3 acre-feet.

5 I. The TAC, which is responsible for the monitoring and management of the Basin
6 consistent with the Judgment's terms, believes that this allocation of Individual Party Allocation to
7 Martinez to reflect the joinder of Martinez as a party to the Judgment, with an Individual Party
8 Allocation of 34.3 acre-feet.

9 *[signatures on following page]*

1 Dated: January ~~___~~, 2010
2 *March 30, 2010*

SANTA PAULA BASIN PUMPERS
ASSOCIATION

3 By: *Peter Fallini*
4 Peter Fallini
5 Chairman of the Board.

6 Dated: January ~~___~~, 2010
7 *March 19, 2010*

CITY OF SAN BUENAVENTURA

8 By: *Ron Calkins*
9 Ron Calkins
10 Director of Public Works

11 Dated: January ~~___~~, 2010
12 *March 22,*

UNITED WATER CONSERVATION DISTRICT

13 By: *Michael Solomon*
14 Michael Solomon
15 General Manager

16 Dated: January ~~___~~, 2010
17 *2-21-2010*

ESTHER B. MARTINEZ

18 By: *Stephen Martinez* under power of
19 Stephen Martinez
20 Attorney for Esther B. Martinez
21
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27
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RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
AARON E. BAKER (State Bar No. 261973)
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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA**

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

**Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40**

**STIPULATION TO ALLOW ELIAS &
GUADALUPE GARCIA TO INTERVENE
POST JUDGMENT AND TO AMEND
JUDGMENT TO JOIN ELIAS AND
GUADALUPE GARCIA AS A PARTY TO
THE JUDGMENT.**

This Stipulation is entered into as of the 7th day of January, 2010, at Santa Paula, California,
between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura, United
Water Conservation District (collectively the "Santa Paula Basin Technical Advisory Committee")

1 or "TAC") and Elias & Guadalupe Garcia ("Garcia") with regard to the following facts and
2 intentions:

3 A. This Stipulation concerns the judgment entered by the Ventura County Superior
4 Court in the above captioned action on March 7, 1996 ("Judgment") to settle competing claims to
5 produce groundwater from the Santa Paula Basin ("Basin"), and to establish a physical solution for
6 the optimal perpetual management of the Basin.

7 B. This Court retained continuing jurisdiction over the action to ensure the reasonable,
8 beneficial, and efficient use of the Basin's water resources in accordance with the provisions of the
9 prescribed physical solution and the requirements of Article X, Section 2 of the California
10 Constitution. (Judgment, §17, pp. 25-26.)

11 C. The Judgment sets forth various Basin pumping allocations, including an allocation
12 of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the
13 Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the
14 Judgment further divides the Association's 27,500 acre-foot allocation into "Individual Party
15 Allocations," which are respectively allocated to the Association's members.

16 D. Section 3(a) of the Judgment also obligates the Association to use its continuing best
17 efforts to obtain the voluntary joinder of any non-party to the Judgment.

18 E. Garcia has been producing groundwater from the Basin for beneficial uses on lands
19 overlying the Basin since before the Judgment was entered in 1996, but was not identified as a
20 groundwater producer in the Judgment, was not named as a Party to this action, and consequentially
21 did not receive an Individual Party Allocation under the Judgment.

22 F. Garcia now desires to: (1) intervene in and become a party to this action pursuant to
23 the Court's reserved jurisdiction; (2) join as a member of the Association; and (3) obtain an
24 Individual Party Allocation consistent with its historical production of groundwater from the Basin.

25 G. Garcia, or its predecessor, produced an annual average of at least 9.6 acre-feet of
26 groundwater from the Basin prior to the entry of the Judgment in 1996, and has continued to
27 produce this amount for beneficial use as an annual average since.

28 H. Based upon Garcia's historical groundwater production, and the mutual desire of the

1 Garcia and the members of the TAC to ensure the balanced, comprehensive, and efficient
2 management of the Basin pursuant to the Judgment's prescribed physical solution, Garcia and each
3 member of the TAC concur that it is appropriate to limit the Garcia groundwater production from
4 the Basin, and to assign Garcia an Individual Party Allocation of 9.6 acre-feet.

5 I. The TAC, which is responsible for the monitoring and management of the Basin
6 consistent with the Judgment's terms, believes that this allocation of Individual Party Allocation to
7 Garcia to reflect the joinder of Garcia as a party to the Judgment, with an Individual Party
8 Allocation of 9.6 acre-feet.

9 *[signatures on following page]*

1 Dated: ~~January~~, 2010
2 *March 30, 2010*

SANTA PAULA BASIN PUMPERS
ASSOCIATION

3
4 By: *Peter R. Fallini*
Peter Fallini
Chairman of the Board.

5
6 Dated: ~~January~~, 2010
7 *March 19, 2010*

CITY OF SAN BUENAVENTURA

8 By: *Ronald Calkins*
Ron Calkins
Director of Public Works

9
10 Dated: ~~January~~, 2010
11 *March 22,*

UNITED WATER CONSERVATION DISTRICT

12 By: *E. Michael Solomon*
Michael Solomon
General Manager

13
14 Dated: January 7, 2010

ELIAS & GUADALUPE GARCIA

15
16 By: *Elias Garcia*
Elias Garcia

17
18 By: *Guadalupe Garcia*
19 Guadalupe Garcia
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RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
AARON E. BAKER (State Bar No. 261973)
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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40

**STIPULATION TO ALLOW DABNEY,
GEORGE & REBECCA TRUST INTER
VIVOS TO INTERVENE POST
JUDGMENT AND TO AMEND
JUDGMENT TO JOIN DABNEY, GEORGE
& REBECCA TRUST INTER VIVOS AS A
PARTY TO THE JUDGMENT.**

This Stipulation is entered into as of the 7th day of January, 2010, at Santa Paula, California,
between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura, United

1 Water Conservation District (collectively the “Santa Paula Basin Technical Advisory Committee “
2 or “TAC”) and Dabney, George & Rebecca Trust Inter Vivos (“Dabney Trust”) with regard to the
3 following facts and intentions:

4 A. This Stipulation concerns the judgment entered by the Ventura County Superior
5 Court in the above captioned action on March 7, 1996 (“Judgment”) to settle competing claims to
6 produce groundwater from the Santa Paula Basin (“Basin”), and to establish a physical solution for
7 the optimal perpetual management of the Basin.

8 B. This Court retained continuing jurisdiction over the action to ensure the reasonable,
9 beneficial, and efficient use of the Basin’s water resources in accordance with the provisions of the
10 prescribed physical solution and the requirements of Article X, Section 2 of the California
11 Constitution. (Judgment, §17, pp. 25-26.)

12 C. The Judgment sets forth various Basin pumping allocations, including an allocation
13 of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the
14 Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the
15 Judgment further divides the Association’s 27,500 acre-foot allocation into “Individual Party
16 Allocations,” which are respectively allocated to the Association’s members.

17 D. Section 3(a) of the Judgment also obligates the Association to use its continuing best
18 efforts to obtain the voluntary joinder of any non-party to the Judgment.

19 E. The Dabney Trust has been producing groundwater from the Basin for beneficial
20 uses on lands overlying the Basin since before the Judgment was entered in 1996, but was not
21 identified as a groundwater producer in the Judgment, was not named as a Party to this action, and
22 consequentially did not receive an Individual Party Allocation under the Judgment.

23 F. The Dabney Trust now desires to: (1) intervene in and become a party to this action
24 pursuant to the Court’s reserved jurisdiction; (2) join as a member of the Association; and (3) obtain
25 an Individual Party Allocation consistent with its historical production of groundwater from the
26 Basin.

27 G. Dabney Trust, or its predecessor, produced an annual average of at least 9.6 acre-feet
28 of groundwater from the Basin prior to the entry of the Judgment in 1996, and has continued to

1 produce this amount for beneficial use as an annual average since.

2 H. Based upon Dabney Trust's historical groundwater production, and the mutual desire
3 of the Dabney Trust and the members of the TAC to ensure the balanced, comprehensive, and
4 efficient management of the Basin pursuant to the Judgment's prescribed physical solution, the
5 Dabney Trust and each member of the TAC concur that it is appropriate to limit the Dabney et al.
6 Trust's groundwater production from the Basin, and to assign the Dabney Trust an Individual Party
7 Allocation of 9.6 acre-feet.

8 I. The TAC, which is responsible for the monitoring and management of the Basin
9 consistent with the Judgment's terms, believes that this allocation of Individual Party Allocation to
10 the Dabney Trust, together with other new Individual Party Allocations concurrently requested, will
11 add only an insignificant amount of additional demand upon the Basin, and when produced
12 consistent with the physical solution set forth in the Judgment, will not result in an adverse impact
13 to the Basin's hydrogeologic condition.

14 THEREFORE, IT IS AGREED AND STIPULATED THAT:

15 The Dabney Trust be allowed to intervene in the above-captioned action as a post-judgment
16 proceeding, and that the Judgment be amended to reflect the joinder of the Dabney Trust as a party
17 to the Judgment, with an Individual Party Allocation of 9.6 acre-feet.

18 *[signatures on following page]*
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1 Dated: ~~January~~, 2010
2 *March 30, 2010*

SANTA PAULA BASIN PUMPERS
ASSOCIATION

3 By: *Peter F. Fallini*
4 Peter Fallini
5 Chairman of the Board.

6 Dated: ~~January~~, 2010
7 *March 19, 2010*

CITY OF SAN BUENAVENTURA

8 By: *Ronald Calkins*
9 Ron Calkins
10 Director of Public Works

11 Dated: ~~January~~, 2010
12 *March 22,*

UNITED WATER CONSERVATION DISTRICT

13 By: *E. Michael Solomon*
14 Michael Solomon
15 General Manager

16 Dated: January 7, 2010

DABNEY, GEORGE & REBECCA TRUST
INTER VIVOS

17 By: *George Dabney*
18 George Dabney
19 Trustee

20 By: *Rebecca Dabney*
21 Rebecca Dabney
22 Trustee

RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
AARON E. BAKER (State Bar No. 261973)
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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA**

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

**Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40**

**STIPULATION TO ALLOW THE JOEL
AND CARMEN CHAVEZ TO INTERVENE
POST JUDGMENT AND TO AMEND
JUDGMENT TO JOIN JOEL AND
CARMEN CHAVEZ AS A PARTY TO THE
JUDGMENT.**

This Stipulation is entered into as of the 25th day of February, 2010, at Santa Paula,
California, between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura,
United Water Conservation District (collectively the "Santa Paula Basin Technical Advisory

Committee “ or “TAC”) and Joel and Carmen Chavez (“Chavez”) with regard to the following facts and intentions:

A. This Stipulation concerns the judgment entered by the Ventura County Superior Court in the above captioned action on March 7, 1996 (“Judgment”) to settle competing claims to produce groundwater from the Santa Paula Basin (“Basin”), and to establish a physical solution for the optimal perpetual management of the Basin.

B. This Court retained continuing jurisdiction over the action to ensure the reasonable, beneficial, and efficient use of the Basin’s water resources in accordance with the provisions of the prescribed physical solution and the requirements of Article X, Section 2 of the California Constitution. (Judgment, §17, pp. 25-26.)

C. The Judgment sets forth various Basin pumping allocations, including an allocation of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the Judgment further divides the Association’s 27,500 acre-foot allocation into “Individual Party Allocations,” which are respectively allocated to the Association’s members.

D. Section 3(a) of the Judgment also obligates the Association to use its continuing best efforts to obtain the voluntary joinder of any non-party to the Judgment.

E. The Chavez has been producing groundwater from the Basin for beneficial uses on lands overlying the Basin since before the Judgment was entered in 1996, but it was not identified as a groundwater producer in the Judgment, was not named as a Party to this action, and consequentially did not receive an Individual Party Allocation under the Judgment.

F. The Chavez now desires to: (1) intervene in and become a party to this action pursuant to the Court’s reserved jurisdiction; (2) join as a member of the Association; and (3) obtain an Individual Party Allocation consistent with its historical production of groundwater from the Basin.

G. The Chavez, or its predecessor, has produced and desires to continue to produce, groundwater from the Basin in a quantity not to exceed 5 acre-feet per year.

H. Based upon the Chavez’s historical groundwater production, and the mutual desire of

1 the Chavez and the members of the TAC to ensure the balanced, comprehensive, and efficient
2 management of the Basin pursuant to the Judgment's prescribed physical solution, the Minero and
3 each member of the TAC concur that it is appropriate to limit the Chavez's future groundwater
4 production from the Basin, and to assign to it a de minimus Individual Party Allocation, to authorize
5 it to produce groundwater from the Basin in quantities not to exceed 5 acre-feet per year.

6 I. The TAC, which is responsible for the monitoring and management of the Basin
7 consistent with the Judgment's terms, believes that this allocation of a de minimus Individual Party
8 Allocation to the Chavez, together with other new Individual Party Allocations concurrently
9 requested, will add only an insignificant amount of additional demand upon the Basin, and when
10 produced consistent with the physical solution set forth in the Judgment, will not result in an
11 adverse impact to the Basin's hydrogeologic condition.

12 THEREFORE, IT IS AGREED AND STIPULATED THAT:

13 The Chavez be allowed to intervene in the above-captioned action as a post-judgment
14 proceeding, and that the Judgment be amended to reflect the joinder of the Chavez as a party to the
15 Judgment, with a de minimus Individual Party Allocation, which shall authorize production of
16 groundwater from the Basin in quantities not to exceed 5 acre-feet per year.

17 *[signatures on following page]*
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1 Dated: February ~~2~~, 2010
2 March 30, 2010

SANTA PAULA BASIN PUMPERS
ASSOCIATION

3
4 By: Peter Fallini
Peter Fallini
Chairman of the Board.

5
6 Dated: February ~~2~~, 2010
7 March 19, 2010

CITY OF SAN BUENAVENTURA

8 By: Ron Calkins
Ron Calkins
Director of Public Works

9
10 Dated: February ~~2~~, 2010
11 March 22,

UNITED WATER CONSERVATION DISTRICT

12 By: Michael Solomon
Michael Solomon
General Manager

13
14 Dated: February ~~25~~, 2010

JOEL AND CARMEN CHAVEZ

15
16 By: Joel Chavez
Joel Chavez

17
18 By: Carmen Chavez
19 Carmen Chavez
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RUSSELL M. MCGLOTHLIN (State Bar No. 208826)
AARON E. BAKER (State Bar No. 261973)
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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA**

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

**Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40**

**STIPULATION TO ALLOW KENNETH M.
AND JOY C. CHAMPAN FAMILY TRUST
TO INTERVENE POST JUDGMENT AND
TO AMEND JUDGMENT TO JOIN
KENNETH M. AND JOY C. CHAMPAN
FAMILY TRUST AS A PARTY TO THE
JUDGMENT.**

This Stipulation is entered into as of the 5th day of January 2010, at Santa Paula, California,
between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura, United

1 Water Conservation District (collectively the “Santa Paula Basin Technical Advisory Committee “
2 or “TAC”) and Kenneth M. and Joy C. Chapman Family Trust (“Chapman Trust”) with regard to
3 the following facts and intentions:

4 A. This Stipulation concerns the judgment entered by the Ventura County Superior
5 Court in the above captioned action on March 7, 1996 (“Judgment”) to settle competing claims to
6 produce groundwater from the Santa Paula Basin (“Basin”), and to establish a physical solution for
7 the optimal perpetual management of the Basin.

8 B. This Court retained continuing jurisdiction over the action to ensure the reasonable,
9 beneficial, and efficient use of the Basin’s water resources in accordance with the provisions of the
10 prescribed physical solution and the requirements of Article X, Section 2 of the California
11 Constitution. (Judgment, §17, pp. 25-26.)

12 C. The Judgment sets forth various Basin pumping allocations, including an allocation
13 of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the
14 Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the
15 Judgment further divides the Association’s 27,500 acre-foot allocation into “Individual Party
16 Allocations,” which are respectively allocated to the Association’s members.

17 D. Section 3(a) of the Judgment also obligates the Association to use its continuing best
18 efforts to obtain the voluntary joinder of any non-party to the Judgment.

19 E. CHAPMAN TRUST has been producing groundwater from the Basin for beneficial
20 uses on lands overlying the Basin since before the Judgment was entered in 1996, but was not
21 identified as a groundwater producer in the Judgment, was not named as a Party to this action, and
22 consequentially did not receive an Individual Party Allocation under the Judgment.

23 F. Chapman Trust now desires to: (1) intervene in and become a party to this action
24 pursuant to the Court’s reserved jurisdiction; (2) join as a member of the Association; and (3) obtain
25 an Individual Party Allocation consistent with its historical production of groundwater from the
26 Basin.

27 G. Chapman Trust produced an annual average of at least 5 acre-feet of groundwater
28 from the Basin prior to the entry of the Judgment in 1996, and has continued to produce this amount

1 for beneficial use as an annual average since.

2 H. Based upon Chapman Trust's historical groundwater production, and the mutual
3 desire of Chapman Trust and the members of the TAC to ensure the balanced, comprehensive, and
4 efficient management of the Basin pursuant to the Judgment's prescribed physical solution,
5 Chapman Trust and each member of the TAC concur that it is appropriate to limit Chapman Trust's
6 groundwater production from the Basin, and to assign Chapman Trust an Individual Party
7 Allocation of 5 acre-feet.

8 I. The TAC, which is responsible for the monitoring and management of the Basin
9 consistent with the Judgment's terms, believes that this allocation of Individual Party Allocation to
10 Chapman Trust, together with other new Individual Party Allocations concurrently requested, will
11 add only an insignificant amount of additional demand upon the Basin, and when produced
12 consistent with the physical solution set forth in the Judgment, will not result in an adverse impact
13 to the Basin's hydrogeologic condition.

14 THEREFORE, IT IS AGREED AND STIPULATED THAT:

15 Chapman Trust be allowed to intervene in the above-captioned action as a post-judgment
16 proceeding, and that the Judgment be amended to reflect the joinder of Chapman Trust as a party to
17 the Judgment, with an Individual Party Allocation of 5 acre-feet.

1 Dated: ~~January~~, 2010
2 *March 30, 2010*

SANTA PAULA BASIN PUMPERS
ASSOCIATION

3
4 By: *Peter Fallini*
Peter Fallini
Chairman of the Board.

5
6 Dated: ~~January~~, 2010
7 *March 19, 2010*

CITY OF SAN BUENAVENTURA

8 By: *Ron Calkins*
Ron Calkins
Director Of Public Works

9
10 Dated: ~~January~~, 2010
11 *March 22,*

UNITED WATER CONSERVATION DISTRICT

12 By: *E. Michael Solomon*
E. Michael Solomon
General Manager

13
14 Dated: January 5, 2010

CHAPMAN FAMILY TRUST

15 BY: *Kenneth M. Chapman*
16 Kenneth M. Chapman

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Attorneys for Defendant
SANTA PAULA BASIN PUMPERS ASSOCIATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

UNITED WATER CONSERVATION
DISTRICT,

Plaintiff,

vs.

CITY OF SAN BUENAVENTURA and
DOES 1 through 1,000 Inclusive,

Defendant.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Intervenors,

CITY OF SAN BUENAVENTURA,

Cross-Complainant,

vs.

LIMONEIRA COMPANY, ALTA
MUTUAL WATER CO., et al.,

Cross-Defendants.

Case No. CV115611

Assigned for All Purposes to the
Honorable Vincent O'Neill
Department 40

**STIPULATION TO ALLOW THE CANINE
ADOPTION & RESCUE LEAGUE TO
INTERVENE POST JUDGMENT AND TO
AMEND JUDGMENT TO JOIN CANINE
ADOPTION & RESCUE LEAGUE AS A
PARTY TO THE JUDGMENT.**

This Stipulation is entered into as of the 31th day of January, 2010, at Santa Paula,
California, between Santa Paula Basin Pumpers Association ("Association"), City of Buenaventura,
United Water Conservation District (collectively the "Santa Paula Basin Technical Advisory

1 Committee “ or “TAC”) and the Canine Adoption & Rescue League (“Canine League”) with regard
2 to the following facts and intentions:

3 A. This Stipulation concerns the judgment entered by the Ventura County Superior
4 Court in the above captioned action on March 7, 1996 (“Judgment”) to settle competing claims to
5 produce groundwater from the Santa Paula Basin (“Basin”), and to establish a physical solution for
6 the optimal perpetual management of the Basin.

7 B. This Court retained continuing jurisdiction over the action to ensure the reasonable,
8 beneficial, and efficient use of the Basin’s water resources in accordance with the provisions of the
9 prescribed physical solution and the requirements of Article X, Section 2 of the California
10 Constitution. (Judgment, §17, pp. 25-26.)

11 C. The Judgment sets forth various Basin pumping allocations, including an allocation
12 of 27,500 acre-feet per annum to the Association, as trustee for the benefit of the members of the
13 Association, which are all parties to the Judgment. (Judgment, §3 (a), p. 8.) Section 3(a) of the
14 Judgment further divides the Association’s 27,500 acre-foot allocation into “Individual Party
15 Allocations,” which are respectively allocated to the Association’s members.

16 D. Section 3(a) of the Judgment also obligates the Association to use its continuing best
17 efforts to obtain the voluntary joinder of any non-party to the Judgment.

18 E. The Canine League has been producing groundwater from the Basin for beneficial
19 uses on lands overlying the Basin since before the Judgment was entered in 1996, but it was not
20 identified as a groundwater producer in the Judgment, was not named as a Party to this action, and
21 consequentially did not receive an Individual Party Allocation under the Judgment.

22 F. The Canine League now desires to: (1) intervene in and become a party to this action
23 pursuant to the Court’s reserved jurisdiction; (2) join as a member of the Association; and (3) obtain
24 an Individual Party Allocation consistent with its historical production of groundwater from the
25 Basin.

26 G. The Canine League, or its predecessor, has produced and desires to continue to
27 produce, groundwater from the Basin in a quantity not to exceed 5 acre-feet per year.

28 H. Based upon the Canine League’s historical groundwater production, and the mutual

1 desire of the Canine League and the members of the TAC to ensure the balanced, comprehensive,
2 and efficient management of the Basin pursuant to the Judgment's prescribed physical solution, the
3 Canine League and each member of the TAC concur that it is appropriate to limit the Canine
4 League's future groundwater production from the Basin, and to assign to it a de minimus Individual
5 Party Allocation, to authorize it to produce groundwater from the Basin in quantities not to exceed
6 5 acre-feet per year.

7 I. The TAC, which is responsible for the monitoring and management of the Basin
8 consistent with the Judgment's terms, believes that this allocation of a de minimus Individual Party
9 Allocation to the Canine League, together with other new Individual Party Allocations concurrently
10 requested, will add only an insignificant amount of additional demand upon the Basin, and when
11 produced consistent with the physical solution set forth in the Judgment, will not result in an
12 adverse impact to the Basin's hydrogeologic condition.

13 THEREFORE, IT IS AGREED AND STIPULATED THAT:

14 The Canine League be allowed to intervene in the above-captioned action as a post-
15 judgment proceeding, and that the Judgment be amended to reflect the joinder of the Canine League
16 as a party to the Judgment, with a de minimus Individual Party Allocation, which shall authorize
17 production of groundwater from the Basin in quantities not to exceed 5 acre-feet per year.

18 *[signatures on following page]*
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Dated: ~~January~~, 2010
March 30, 2010

SANTA PAULA BASIN PUMPERS
ASSOCIATION

By: Peter Fallini
Peter Fallini
Chairman of the Board.

Dated: ~~January~~, 2010
March 19, 2010

CITY OF SAN BUENAVENTURA

By: Ron Calkins
Ron Calkins
Director of Public Works

Dated: ~~January~~, 2010
March 27,

UNITED WATER CONSERVATION DISTRICT

By: Michael Solomon
Michael Solomon
General Manager

Dated: January 31, 2010

THE CANINE ADOPTION & RESCUE
LEAGUE

By: Sharon L Clark
Print Name: Sharon L Clark
Capacity: President