Fox Canyon Groundwater Management Agency

POST-MEETING

AGENDA PACKAGE

Board Regular Meeting
of
September 24, 2025

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Fox Canyon Groundwater Management Agency (FCGMA) Board of Directors will hold a **Board Hybrid Meeting** at **12:30 P.M.** on **Wednesday, September 24, 2025,** in the **Board of Supervisors' Hearing Room and via Zoom**, at the Ventura County Government Center, Hall of Administration, at **800 South Victoria Avenue**, **Ventura**, **California**.

To attend the public portion of the meeting via Zoom, click here:
https://us02web.zoom.us/j/89139780163?pwd=jQR3idpgKDszd4g3GFm5tmfaWYy1xV.1
Passcode: 550681

FCGMA BOARD REGULAR MEETING AGENDA

September 24, 2025
12:30 P.M.

Welcome to the meeting of the Fox Canyon Groundwater Management Agency Board of Directors, also sitting as watermaster for the Las Posas Valley Basin and the groundwater sustainability agency for the Las Posas Valley Basin, the Pleasant Valley Basin, and the Oxnard Subbasin. 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 Agency staff at (805) 654-2014 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 items are numbered for identification purposes only and may not necessarily be considered in this order. Agenda items are grouped under Las Posas Valley Watermaster (LPV Watermaster) or under Fox Canyon Groundwater Management Agency (FCGMA), if the item directly applies only to that entity. The Board reserves the right to limit each speaker to five (5) minutes per subject or topic if necessary. The public portion of every public meeting of the Board of Directors is recorded. Please see the "STANDING NOTICES" section at the end of this Agenda for more information, including hybrid attendance and public participation.

OPENING

1. **Call to Order** – The Board Chair will call the meeting to order.

2. **Pledge of Allegiance** – A Board member will lead the Pledge of Allegiance.

3. **Roll Call** – Attending Board members, alternates, and staff will be recorded by the Board Clerk.

4. **Agenda Review** – Consider and approve by majority vote, any minor revisions to Board Agenda items and/or attachments and any item(s) added or removed from this Agenda.

5. **Public Comments** – Members of the Public may speak about Agency-related matters not on today's Agenda. California State law does not allow any response or action from the Board concerning non-Agenda topics at this time; however, topics can be placed on future Agendas or referred to staff. Please come to the podium and state your name and affiliation for the record before commenting on any particular subject.

6. **Executive Officer's Comments** – Brief announcements and administrative report on Agency workforce activities.

7. **Board Member Comments** – An opportunity for Board Members to make comments or to communicate with other directors, staff, and/or the public regarding non-Agenda topics.

CORRESPONDENCE AGENDA

Correspondence Agenda items are presented to the Board for information under the Consent Agenda. These items require no action or are not ready for Board consideration.

8. **Receive and file correspondence** from Russell McGlothlin of O'Melveny & Myers LLP, et al, regarding Basin Management Actions, dated September 3, 2025.

9. **Receive and file correspondence** from Kevin Kildee, Mayor, City of Camarillo, regarding the Camarillo Water Crisis and the operation of the North Pleasant Valley Desalter, dated September 15, 2025.

CONSENT AGENDA

Routine items are placed under the Consent portion of this Agenda and need only be reviewed and approved by one single motion. Consent items generally require no discussion; however, they may be debated or voted on by moving them to the "Regular Agenda" portion at the Board's discretion.

10. **Approval of Minutes** – *(New Item)* **RECOMMENDATION:** Approve minutes of the June 13, 2025, Board Special meeting.

11. **Approval of Minutes** – *(New Item)* **RECOMMENDATION:** Approve minutes of the June 25, 2025, Board Regular meeting.

12. **Approval of Minutes** – *(New Item)* **RECOMMENDATION:** Approve minutes of the July 23, 2025, Board Regular meeting.

13. **Approval of Minutes** – *(New Item)* **RECOMMENDATION:** Approve minutes of the August 22, 2025, Board Special meeting.

CONSENT AGENDA – FCGMA Items

14. **FCGMA Financial Status Report for August 2025** – *(New Item)* **RECOMMENDATION:** Receive and file the monthly financial report.

CONSENT AGENDA – LPV Watermaster Items

15. **LPV Watermaster Financial Status Report for August 2025** – *(New Item)* **RECOMMENDATION:** Receive and file the monthly financial report.

16. **Appointment of Ventura County Waterworks Districts Nos. 1 & 19 Representative, Mr. Paul Chan, to the Las Posas Valley Basin Policy Advisory Committee** – *(New Item)* **RECOMMENDATION:** Appoint Mr. Paul Chan to serve as the Ventura County Waterworks Districts 1 &19 (WMIDs 2011, 2191 and 2192) Representative to the Las Posas Valley Watermaster Policy Advisory Committee.

17. **Approval of and Authorization for the Executive Officer to Enter Into a Professional Services Contract with Robert Abrams (PhD, PG, CHG) of Aquilogic, Inc. to Serve as the Landowner Representative to the Calleguas Municipal Water District Aquifer Storage and Recovery Project Study Group** – *(Returning Item)* **RECOMMENDATION:** Approve and authorize the Executive Officer to enter into a professional services contract with Robert Abrams (PhD, PG, CHG) of Aquilogic, Inc., for a two-year term with a “not to exceed” limit of $25,000 per year, to serve as the Landowner Representative to the Calleguas Municipal Water District Aquifer Storage and Recovery Project Study Group.

REGULAR AGENDA

Regular Agenda items are heard at the Board’s discretion and may be heard at any time during the meeting.

REGULAR AGENDA – FCGMA Items

18. **Resolution 2024-05 Reserve Fee Annual Review** – *(New Item)* **RECOMMENDATIONS: (1)** Receive an update from Agency staff and hold a public meeting to consider the continued need for, and adjustments to, the fee imposed by Resolution No. 2024-05; and **(2)** Direct staff to continue collecting the fee at the currently approved rate of $20.00 per acre-foot through Fiscal Year 2025-26.

19. Hearing on R.N. Daily Ranch's Appeal of the Interim Executive Officer's Denial of Well Drilling Application No. 0309 – *(Returning Item)* **RECOMMENDATIONS: (1) RECOMMENDATIONS: (1)** Conduct a hearing to consider R.N. Daily Ranch's appeal of the Interim Executive Officer's denial of Well Drilling Application No. 0309; **(2)** Affirm (uphold) the Interim Executive Officer's denial of Well Drilling Application No. 0309; **(3)** Direct Agency Counsel to prepare a decision consistent with your Board's direction; and **(4)** Continue the hearing to a future meeting for adoption of a written decision.

REGULAR AGENDA – LPV Watermaster Items

20. Approval of Las Posas Valley Basin Annual Water Right Allocations for Water Year 2025 (October 1, 2025 – September 30, 2026) – *(New Item)* **RECOMMENDATIONS: (1)** Receive a presentation from Agency staff on the calculation of annual Water Right Allocations under the Las Posas Valley Adjudication Judgment for Water Year 2025, and **(2)** Adopt the proposed Annual Water Right Allocations for WY 2025.

21. Adopt Resolution No. 2025-07 Approving a $7.25 Basin Assessment for Fiscal Year 2025-26, Water Year 2025 to Fund the Implementation and Work on Projects Included in the Las Posas Valley Basin Optimization Plan – *(Returning Item)* **RECOMMENDATION:** Adopt Resolution No. 2025-07 approving a Basin Assessment in the amount of $7.25 per acre-foot of annual Water Right Allocation to fund the implementation and work on specified projects included in the Las Posas Valley Basin Optimization Plan.

22. Watermaster Update on Carryover and Overuse – *(New Item)* **RECOMMENDATION:** Receive and File a presentation on Carryover and Overuse in the Las Posas Valley.

CLOSED SESSION AGENDA

Discussions of Closed Session Agenda items are closed to the public. The Chair will announce when the Board is going into closed session. Closed session items may be heard at any time during the meeting. The Board will hold its closed session in the Atlantic Conference Room (ACR), inside the Hall of Administration building.

23. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE: City of Oxnard v. Fox Canyon Groundwater Management Agency, Los Angeles County Superior Court Case No. 20STCP00929

24. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE: Las Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI0059700

25. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE: OPV Coalition et al v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI00555357

26. Adjourn Board Meeting.

STANDING NOTICES

The FCGMA Board strives to conduct accessible, orderly, and fair meetings where everyone can be heard on the issues. The Board Chair will conduct the meeting and establish appropriate rules and time limitations for each item. The Board can only act on items designated as action Items. Action items on the Agenda are staff proposals and may be modified by the Board as a result of public comment or Board member input.

Public Comment: Public comment is the opportunity for members of the public to participate in meetings by addressing the Fox Canyon Board of Directors in connection with one or more Agenda or non-Agenda items.

The following options allow for public participation:

1. Join the Zoom Meeting as an Attendee:
   https://us02web.zoom.us/j/89139780163?pwd=jQR3idpgKDszd4g3GFm5tmfaWYy1xV.1
   Passcode:550681
   Webinar ID: 891 3978 0163
   With this option you will be able to raise your hand, and the Clerk of the Board will give you speaking abilities to make a public comment. If you experience technical difficulties during attendance that impact your ability to hear or see meeting proceedings, please contact the host via chat, or raise your hand for Q&A inside the Zoom Client. If you are unable to contact the host via the Zoom Client's chat or Q&A features, please call (805) 654-2014 and report the issue, then consider submitting written comment according to option 4, below.

2. During meetings held in the Board of Supervisors Boardroom, we have access to livestreaming capabilities. Observe the Board of Directors meeting streaming live by navigating to the "Current and Upcoming Meetings" section of our website and clicking on the video icon button next to the meeting listing at: https://fcgma.org/board-agendas-broadcasts-minutes/. *This option is currently only available for meetings held in the BOS Boardroom.*

3. Call in to listen to the meeting:
   +1 669 900 6833 US (San Jose)
   +1 408 638 0968 US (San Jose)
   +1 669 444 9171 US
   +1 253 215 8782 US (Tacoma)
   +1 346 248 7799 US (Houston)
   +1 719 359 4580 US
   +1 253 205 0468 US
   +1 507 473 4847 US
   +1 564 217 2000 US
   +1 646 876 9923 US (New York)
   +1 646 931 3860 US
   +1 689 278 1000 US
   +1 301 715 8592 US (Washington DC)
   +1 305 224 1968 US
   +1 309 205 3325 US
   +1 312 626 6799 US (Chicago)
   +1 360 209 5623 US
   +1 386 347 5053 US
   Webinar ID: 891 3978 0163
   Passcode: 550681
   Options 2 and 3 will not allow you to make direct speaking comments. If you wish to make a written comment, please follow the steps below. Every effort will be made to read your comment

into the record, but some comments may not be read due to time limitations. Comments received after an Agenda item will be made part of the record if received prior to the end of the meeting.

4. If you wish to make a written comment on a specific Agenda item, please submit your comment via email by 5:00 p.m. on the Monday prior to the Board regular meeting. Please submit your comment to the Clerk of the Board at FCGMA@venturacounty.gov. Please indicate in the subject line of your email the Agenda item number (e.g., Item 9). Your comment will be read by the Board of Directors and placed into the record.

5. If you are listening or watching the live stream of the Board meeting and would like to make either a general public comment (see Item 5) for items not on the day's Agenda or to comment on a specific Agenda item as it is being heard, please submit your comment via email to the Clerk of the Board at FCGMA@venturacounty.gov. Please indicate in the email subject line the Agenda item number (e.g., Item 9).

Administrative Record: Material presented as part of testimony will be made part of the Agency's record, and 10 copies should be left with the Board Clerk. This includes memos, presentations, maps, etc. If possible, in advance of the meeting, email PDFs to FCGMA@venturacounty.gov and indicate the related Agenda item number in your email's subject line.
***

ADA Accommodations: Persons who require accommodation for any audio, visual, or other disability in order to review an Agenda or to participate in the Board of Directors meeting per the Americans with Disabilities Act (ADA), may request such accommodation in writing addressed to the Clerk of the FCGMA Board, 800 So. Victoria Avenue, Location #1610, Ventura, CA 93009-1610, via email to FCGMA@venturacounty.gov, or via telephone by calling (805) 654-2014. Any such request should be made at least 48 hours prior to the meeting so staff can make the necessary arrangements.
***

Availability of Complete Agenda Package: A copy of the complete Agenda package is available for examination at the FCGMA office during regular working hours (8:00 a.m. to 5:00 p.m. Monday through Friday) beginning 72 hours before the regular Board meeting. Agenda packet contents are also posted on the FCGMA website as soon as possible and left there for archival retrieval in case reference is needed on previously considered matters. Questions about specific Agenda items should be directed to the Agency's Executive Officer by emailing FCGMA@venturacounty.gov.
***

Continuance of Items: The Board will endeavor to consider all matters listed on this Agenda. However, time may not allow the Board to hear all matters listed. Matters not heard at this meeting may be carried over to the next Board meeting or to a future Board meeting. Participating individuals or parties will be notified of the rescheduling of their item prior to the meeting. Please contact the Agency Clerk to find out about rescheduled items.
***

The Ralph M. Brown Act: It is the intent of the law that the actions of this Board be taken openly and that their deliberations be conducted openly. Read about the Ralph M. Brown Act via this link: https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?chapter=9.&division=2.&lawCode=GOV&part=1.&title=5.
***

Agency Information and Updates: Our website address is https://fcgma.org/. Information available includes meeting materials and schedules, Agency Ordinances, Resolutions, reports, forms, and more. FCGMA Board Regular meetings occur on the fourth Wednesday of the month, unless otherwise noted. If you would like to be added to our agenda notification email list, or to speak to a staff member, please contact the FCGMA Clerk of the Board via telephone at (805) 654-2014 or via email at FCGMA@venturacounty.gov.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
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EXECUTIVE OFFICER
John Demers

September 24, 2025

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Executive Officer's Report – *(Returning Item)*

RECOMMENDATION: Receive and file this informational report.

FCGMA SEMI ANNUAL EXTRACTION STATEMENT REPORTING

The second half of the 2024-2025 Water Year (reporting period 2025-2) will officially conclude on Tuesday, September 30, 2025.

To support timely and accurate reporting of groundwater extractions occurring between April 1 and September 30, 2025, Well Operators will need to:

- Capture legible meter photos on September 30, 2025
- Record meter readings on September 30, 2025
- Prepare for submission of the 2025-2 Semi-Annual Extraction Statement (SAES) and all required reporting materials, which will be due 45 days after release.

Staff anticipates 2025-2 SAES to be available online on October 1, 2025.

Visit https://fcgma.org/groundwater-extraction-reporting/ for the latest updates and requirements.

LPV WATERMASTER BASIN ASSESSMENT UPDATE

The Watermaster Board adopted a Basin Assessment for the Las Posas Valley Basin for Water Year (WY) 2025, set at **$60.00 per acre-foot of allocation per year** (AFY), to fund administrative and technical work related to implementation of the Judgment; this excludes any work related to replenishment or Basin Optimization Projects. Replenishment activities are budgeted for under the Basin Optimization Plan (BOP) which includes a Five-Year Basin Optimization Projects Budget that estimates WY 2025 BOP costs at $290,000.00, or $7.25/AFY. Following committee consultation, it is anticipated

that the Watermaster Board will adopt and authorize invoicing and collection of an additional **$7.25/AFY** Basin Assessment to fund Basin Optimization Projects resulting in a total of **$67.25/AFY** in Basin Assessments for WY 2025 (FY 2025-26).

Both assessments will be invoiced in **four equal installments** and accounted for separately. The **first installment** will be included in the **2025-1 Basin Assessment Invoice**, which will be available on **October 1, 2025**, and is **due by October 31, 2025**.

LPV WATERMASTER BASIN ASSESSMENT DELINQUENCY UPDATE

For WYs 2023 and 2024, Watermaster adopted Basin Assessments for the Las Posas Valley Basin set at **$64.00** and **$64.58** per acre-foot per year, respectively. However, the Watermaster Board did not invoice nor collect the full Basin Assessment authorized for either WY 2023 or WY2024 based on the Fiscal Committee's recommendation that the Watermaster fund contained sufficient operating funds to closeout each WY without incurring a negative balance.

Payments not received within one month of the due date are considered **delinquent** and shall accrue interest at the current **Ventura County real property tax delinquency rate**. (Judgment Exhibit A, §2.8.2)

As of **September 15, 2025**, the total delinquent Basin Assessment and interest for WYs 2023 and 2024 is **$99,081.78**, consisting of **$88,819.84** in delinquent Basin Assessments and **$10,261.94** in accrued interest.

The breakdown below reflects delinquent Basin Assessments and interest by year. Delinquency lists for each period are available at https://fcgma.org/las-posas-valley-watermaster/. Staff and counsel are taking the next steps consistent with its enforcement authorities to collect the delinquent basin assessments.

Invoice Period	Release Date	Due Date	1st Notice Sent	Final Notice Sent	No. of WMIDs per Period	Amt. per AF per Period	BA Amount Past Due by Period	Interest Amount Past Due by Period	Total Delinquent Past Due by Period
23-1	5/5/24	4/5/24	5/31/24	7/18/24	6	$32.00	$9,689.28	$1,668.73	$11,358.01
23-2	Canceled	-	-	-	-	$0.00	$0.00	$0.00	$0.00
24-1	10/2/24	11/1/24	12/11/24	12/21/24	10	$16.145	$20,050.51	$2,594.75	$22,645.26
24-2	1/6/25	1/30/25	3/10/25	3/20/25	16	$16.145	$29,411.91	$3,031.63	$32,443.54
24-3	4/1/25	5/1/25	6/10/25	6/20/25	19	$16.145	$29,668.14	$2,966.83	$32,634.97
24-4	Canceled	-	-	-	-	$0.00	$0.00	$0.00	$0.00
								TOTAL	**$99,081.78**

MEETINGS

VARIANCE AD HOC SUBCOMMITTEE MEETING

The first meeting of the newly formed Variance Ad Hoc Subcommittee occurred Friday, September 12. The Subcommittee discussed variance application policies, requirements, and Ordinance compliance factors, as well as the status of the Agency's review and processing of pending variance applications. Subcommittee recommendations to staff include amending Resolution 2020-03[1] to update and clarify determination procedure and authority, and an informational presentation to the Board at a future meeting focusing on a categorical analysis of the different types of variance applications and what the factors in determinations for each category might include, so that the Board and the public have the opportunity to ask questions and provide feedback. In addition, there are 8 denied applications currently processed and pending an appeal before the Board; the Subcommittee has recommended scheduling all 8 for a quarter hour each at an upcoming special meeting.

The next meeting of the Variance Ad Hoc Subcommittee is scheduled for Thursday, November 13, at 2:30 P.M.

COMMITTEE MEETINGS

The Fiscal Committee has rescheduled its final meeting this calendar year, and will meet next on Monday, October 13, to discuss reserve policy development and the recently received Biennial Audit report and findings. More information about upcoming Board and Committee meetings is available in the attached Exhibit 6A, an updated schedule of remaining meetings for calendar year 2025.

CONCLUSION:

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 650-4083.

Sincerely,

John Demers
Executive Officer

Attachment:

Exhibit 6A – Scheduled Meetings for Calendar Year 2025

[1] Resolution 2020-03, Amended 2022: https://s42135.pcdn.co/wp-content/uploads/2022/07/Resolution-2020-03-Amended.pdf

Item 6A

FCGMA Board Meeting, September 24, 2025

Fox Canyon Groundwater Management Agency (FCGMA)

Remaining Scheduled Meetings for Calendar Year 2025

Board Regular Meetings

Fourth Wednesday, Monthly

Date	Start Time	Room
Wednesday, October 22	12:30 PM	BOS
Wednesday, December 10	12:30 PM	BOS

Board Special Meetings

Typically, Second Friday, Monthly, As Needed

Friday, October 10	12:30 PM	LPAR
Friday, November 14	12:30 PM	MPR

ABOUT SCHEDULED MEETINGS

- All meetings will be held at the Ventura County Government Center, Administration Building, at 800 South Victoria Avenue, Ventura, California, unless otherwise noted.
- **"As Needed" meetings, such as special meetings and committee meetings, are subject to necessity and may be rescheduled or may not be noticed to occur.**
- When a meeting is officially noticed per the Ralph M. Brown Act, it is confirmed to occur.
- Contact FCGMA@venturacounty.gov to subscribe to our agenda notification list.
- Alterations of the time or room are possible, so please check for facility or start time changes each month.
- Visit our Events page at https://fcgma.org/events/.

Executive Committee

As Needed

Thursday, November 6	1:30 PM	MPR

Fiscal Committee

As Needed

Monday, October 13	1:00 PM	LPAR

Operations Committee

As Needed

Monday, October 6	1:30 PM	MPR
Monday, December 1	1:30 PM	MPR

Variance Ad Hoc Subcommittee

As Needed

Thursday, November13	2:30 PM	LPAR

KEY	
"As Needed"	Subject to Necessity
ACR	Atlantic Conference Room
BOS	Board of Supervisors Hearing Room
LPAR	Lower Plaza Assembly Room
MPR	Multi-Purpose Room

Updated 9/19/2025

O'Melveny

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omm.com

September 3, 2025

Russell McGlothlin
D: +1 310 246 8463
rmcglothlin@omm.com

VIA E-MAIL

Las Posas Basin Watermaster
Fox Canyon Groundwater Management Agency
800 S. Victoria Ave., Ventura, CA 93009

Re: *Las Posas Basin Judgment Implementation*

Dear Watermaster Board Members:

This letter follows our July 18, 2025 letter requesting mediation with the FCGMA in its role as the Las Posas Basin Watermaster. We received your August 7, 2025 response, and agree that mediation is unnecessary at this time.

We also agree with your letter's statement on page 3 that "there is no time to waste." The Basin Optimization Plan must be timely implemented and the Basin Optimization Yield Study must be promptly completed in a technically sound manner. We are hopeful that recent progress on the Basin Optimization Plan and resolution of the FCGMA's staffing shortages will further this effort. In that light, we respond to comments in your letter as follows:

1. Revised Basin Optimization Plan. As a preliminary matter, we appreciate that the Basin Optimization Plan was adopted after review of the draft plan by the Policy Advisory Committee ("PAC") and Technical Advisory Committee ("TAC") and with opportunities for public comment. Watermaster should also appreciate that the final Basin Optimization Plan substantially differs from the draft plan. Notably, the projects targeted for implementation and inclusion in the Basin Optimization Yield Study modeling have evolved. The adopted plan jettisons projects that were included in the draft plan for implementation, notably Arroyo Simi-Las Posas Arundo Removal, and adds others for implementation, specifically the Allocation Buyback and Reduction Program; In Lieu Deliveries to Northern East Las Posas Feasibility Study; and Regional Desalter Feasibility Study. Adopted Plan at pp. 31-32 (June 2025). The adopted plan also includes a much more detailed implementation schedule. As we noted in our prior letter, we see these changes as improvements and based on better reasoning. But they are material changes. In the interest of effective coordination with the PAC and TAC, the Watermaster should solicit further feedback from PAC and TAC on the significant revisions. That feedback need not, and should not, delay Judgment implementation.

2. Basin Optimization Yield Study Modeling. We believe that the TAC needs to be thoroughly involved in addressing the issues they identified with the modeling, as we explained in our last letter of July 18, 2025, and as further elaborated on during the TAC meeting on August 5, 2025. During that meeting, the TAC raised *potential* discrepancies between the

modeling inputs presented to the TAC by Dudek and the modeling inputs found in the modeling excel files. We trust that once Dudek and TAC have broader access to the WLP model, they will coordinate to ensure that the identified issues are resolved. We expect Watermaster shares our goal of achieving a stronger, more reliable model with all potential discrepancies fully addressed, and that Watermaster will lean on and leverage the expertise and availability of the TAC in this process. We understand from your letter that Watermaster agrees that TAC must be fully engaged in addressing these issues through an "ongoing and iterative process" that will include thorough committee consultation.

We appreciate the board and staffs' efforts and look forward to continuing to work cooperatively on Basin management.

Sincerely,

/s/ Russell McGlothlin

Russell McGlothlin
of O'Melveny
for the Las Posas Farming Group

/s/ Steven R. Hagemann

Steven R. Hagemann
of The Ventura Legacy Group, APC
for Culbert Farms LLC; Sharlee C. Carnes; Meredith C. Horton; Michael E. Culbert; Cristina Marie Kildee; Delcia Ann Giacalone; Jennifer Elizabeth Kildee; Richard D. Culbert; Michael Kenneth Kildee; Kevin Bertis Kildee; Lauren A. Borchard, Trustee For The LAB Trust; Leslie K. Borchard; James A. Waters III, Trustee For The J&H Revocable Trust; James A. Waters III, Trustee For The Andrew Exempt Trust; James D. Engel, Trustee for the James D. Engel and Kay A. Engel Trust Dated April 15, 1998

/s/ R. Morgan Gilhuly

R. Morgan Gilhuly
of Beveridge & Diamond PC
for D&D Coastal LLC, Highwood Farms, LLC, Milligan Ranch Partnership LP, and Wehrheim Family Trust

/s/ Brian Hamilton

Brian Hamilton
of Downey Brand LLP
for Plaintiffs

/s/ Robert J. Saperstein

Robert J. Saperstein
of Brownstein Hyatt Farber Schreck, LLP

/s/ R. Jeffrey Warren

R. Jeffrey Warren
of Klein, Denatale, Goldner LLP

for Wonderful Citrus, LLC, Lemon 500 LLC *for Zone Mutual Water Company*

/s/ Robert Kuhs

Robert Kuhs
of LeBeau Thelen, LLP
for Broadway Road Moorpark, LLC; Santa Clara Avenue Oxnard, LP; Berylwood Ranch, LLC; Berkshire Investments, LLC; and Santa Elena Farms, LLC.

Item 9 - Correspondence_20250915_City of Camarillo to Senator Limón
FCGMA Board Meeting, September 24, 2025

From: Laura Womack
To: FCGMA
Subject: City of Camarillo Letter to Senator Limón re. Water Crisis
Date: Monday, September 15, 2025 4:52:39 PM
Attachments: image001.png
2025.09.15 - City of Camarillo Letter.pdf

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@venturacounty.gov.

Dear Mr. Demers and the FCGMA Board of Directors:

On behalf of Camarillo Mayor Kevin Kildee, please see the attached and below correspondence.

Subject: City of Camarillo Letter to Senator Limón re. Water Crisis

Please find attached a letter the City of Camarillo sent to Senator Monique Limón regarding the urgent water crisis facing our community and the operation of our North Pleasant Valley Desalter. The $70 million facility turns brackish water into clean drinking water and complies with the Regional Water Quality Control Board's mandate to remove environmentally damaging salts from the Calleguas Creek. Nearly half the investment in the Desalter was funded by state and federal grants, including $15 million from the State of California.

As detailed in the letter, a coalition of large agricultural landowners and agencies, including United Water Conservation District, Pleasant Valley County Water District, as well as the City of Oxnard, is seeking to impose limits on groundwater available in the Pleasant Valley basin. These actions jeopardize Camarillo from operating the Desalter as intended, risk stranding a state and federally funded investment, and undermine an environmentally beneficial project that directly supports the state's goals for water equity and sustainability.

The Camarillo Water Crisis is about whether state policy will protect communities or be manipulated by powerful interests. The City of Camarillo has requested a meeting with Senator Limón in the coming weeks to discuss this matter and explore a fair, transparent resolution that protects families and small businesses in our community. We wanted to share this correspondence with you directly, given your interest in and connection to these issues.

Sincerely,

Kevin Kildee
Mayor

Laura Womack, Management Analyst
601 Carmen Drive, Camarillo, CA 93010
(805) 388-5307 | lwomack@cityofcamarillo.org
cityofcamarillo.org | Sign Up for Email | Facebook | Instagram | YouTube

Item 9 - Correspondence_20250915_City of Camarillo to Senator Limón
FCGMA Board Meeting, September 24, 2025

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City of Camarillo

601 Carmen Drive | Camarillo CA 93010 | 805-388-5300

September 15, 2025

The Honorable Monique Limón
Capitol Office
1021 O Street, Suite 7610
Sacramento, CA 95814

Dear Senator Limón,

The City of Camarillo's water future is under serious threat from powerful outside interests. For decades, the Pleasant Valley Basin beneath our City has provided water that has flowed underground to benefit the neighboring Oxnard Basin and others outside Camarillo. Yet now, those very outside interests are insisting that Camarillo cannot pump enough groundwater to operate our own Desalter, an innovative facility built to secure our community's future. This double standard is not only disingenuous, but it also puts Camarillo's water security, families, and businesses at risk.

For decades, the City of Camarillo has worked to ensure reliable, affordable water for our residents, farms and businesses. Our North Pleasant Valley Desalter is a win-win project for local water supplies and the environment. The facility safely transforms brackish groundwater into clean drinking water, reduces reliance on imported supplies and helps safeguard ratepayers against future cost increases. It also fulfills the Regional Water Quality Control Board's mandate to remove salts from the Calleguas Creek watershed, addressing a long-standing environmental problem. Nearly half of the $70 million project was funded by state and federal grants, including $15 million from the State of California, highlighting the Desalter's regional and statewide importance. We are grateful for the State's partnership in making this project possible and for your leadership on equity and sustainability for Ventura County communities.

Why We Are Writing Today – The Camarillo Water Crisis
We are reaching out to urge your leadership and support in addressing a critical threat to the City of Camarillo's water future. A coalition of large Oxnard Plain agricultural landowners—including one of the largest industrial farms in California—who call themselves the "OPV Coalition," are using the state's groundwater litigation process as a weapon to undermine Camarillo's water supply. This group has objected to the groundwater allocation rules adopted under the Sustainable Groundwater Management Act (SGMA) and sued Camarillo and all the other groundwater users in the Oxnard and Pleasant Valley basins.

This "adjudication" has gone on for more than four years with no end in sight. In the past six weeks, United Water Conservation District, Pleasant Valley County Water District, large landowners, and other parties *in the Oxnard basin* have aligned themselves with the OPV Coalition. Together, they are seeking to impose limits on the groundwater available *in the Pleasant Valley basin* that threaten Camarillo's ability to use its Desalter – even though the agency responsible for managing the basin sustainably has already approved the project. Even more troubling, the attorneys for the OPV Coalition, United Water Conservation District, and Pleasant Valley County Water District even succeeded in excluding evidence about the Desalter from the trial beginning September 17 in Santa Barbara Superior Court. These actions serve to advance the water interests of the OPV Coalition and its allies, while blatantly disregarding Camarillo's water security.

Their proposed "settlement" could cut Camarillo's groundwater allocation so low that the City might not be able to fully operate its Desalter, leaving salts in the groundwater in direct conflict with the Regional Board's environmental mandate. This push is being driven by United Water Conservation District's insistence on flawed water models of its own making that prioritize large landowners over the residents and small businesses of Camarillo.

As the only city in the Pleasant Valley basin, Camarillo is now in the very difficult position of having to go to trial against *nearly every other party in the case*. At stake is whether hard-working families and small businesses in Camarillo will have their fair share of affordable, reliable water, or whether powerful landowners will tip the scales in their own favor.

The Stakes for Camarillo Families and Businesses

Camarillo is distinct from our larger neighbors, Ventura and Oxnard. We are a smaller city already burdened by high housing costs. Unlike Oxnard, which relies on groundwater from the Oxnard basin, Camarillo depends on groundwater from the Pleasant Valley basin. For decades, Camarillo has helped to maintain the Pleasant Valley basin by supplementing local groundwater with imported supplies and delivering recycled water to farmers to help reduce pumping. Our innovative Desalter is the latest step in this stewardship.

For context, OPV Coalition landowners—including a very large sod farm that draws on the overdrafted Oxnard basin—control at least as much land as the 12,650 acres that are within the city. The goal of this lawsuit is clear. OPV Coalition members want more water for themselves at the direct expense of our community. This struggle between powerful landowners and our small city highlights what is at stake: ***residents struggling to afford a place to live should also not be forced to shoulder unfairly high water bills***. The OPV Coalition and its allies effectively seek to either sideline, or at a minimum prevent the City's full use of its $70 million Desalter previously approved by the Fox Canyon Groundwater Management Agency. If successful, the efforts of OPV Coalition and its allies will drive up water costs for our residents; cripple efforts to remove salts from our watershed; increase the City's dependence on State water imports; and, undermine state and federal investment. This not only threatens to strand

the funding the state has invested in the Desalter but also directly conflicts with the Delta Reform Act of 2009, which declares state policy "to reduce reliance on the Delta" by investing in regional self-reliance and advanced water technologies. This is precisely what our Desalter represents and what the OPV Coalition lawsuit puts at serious risk.

What's at Risk

The current crisis escalated in August when the OPV Coalition, United Water Conservation District, Pleasant Valley County Water District, the City of Oxnard and other landowners and public agencies attempted to force an unreasonably low, Oxnard basin-centered "settlement" on Camarillo. To protect its water supplies, including the Desalter as its main water supply for the next 25 years, Camarillo is having to fight in court, alone.

Camarillo built the Desalter to comply with the Regional Board's requirement to remove salts from the groundwater, basing the project on reasonable groundwater estimates approved by regulators. The "settlement" proposed by the OPV Coalition, United Water Conservation District, Pleasant Valley County Water District, the City of Oxnard, and their allies threatens Camarillo's ability to improve the region's groundwater quality and represents nothing less than an injustice that penalizes our city alone.

Suppressing Camarillo's water rights and ignoring our needs will:

- ***Strand critical infrastructure:*** The Desalter, a $70 million regional infrastructure investment which turns brackish water into clean drinking water and removes environmentally damaging salts from the watershed, will be at risk of becoming a stranded asset.
- ***Force reliance on alternative water resources:*** Without the Desalter, our City will be forced to increase our use of water imported from the state, which has become less reliable and more expensive over time.
- ***Place undue burden on residents:*** Relying on more costly water will raise water bills for Camarillo residents, negatively impacting the pocketbooks of our region's families, businesses and farms.

Camarillo is a Good Water Steward

For decades, Camarillo has conserved water, invested in sustainable practices and managed its groundwater responsibly. Since the 1960s, the City has delivered recycled water to farmers to help reduce pumping. The Desalter is proof of our commitment, producing 3,800 acre-feet of drinking water annually, reducing dependence on imported water by 50% to date, and nearly $50 million of expected savings to residents over the next 20 years.

A Well-Intentioned State Process, Weaponized

We support SGMA's goals of sustainable groundwater management. But in practice, OPV Coalition landowners are using its sweeping lawsuit against Camarillo, and everyone else in the Oxnard and Pleasant Valley basins, to evade SGMA to serve their personal interests at the expense of Camarillo, other public agencies, residents and small farms, and the environment.

Camarillo's water future must be guided by fair, transparent and accountable decision-making — not behind closed doors by a few powerful interests.

Our Request to You

Senator Limón, Camarillo needs your help to bring fairness back to the table. We respectfully ask that you:

1. **Call on United Water Conservation District, the City of Oxnard, Pleasant Valley County Water District, and OPV Coalition landowners to negotiate a transparent resolution** with the City of Camarillo that doesn't penalize our city for investment in the Desalter.
2. **Advocate for a fair water allocation** that protects municipalities and ratepayers.
3. **Stand with Camarillo's families** against inequitable cuts that threaten access to clean, affordable water.

The Camarillo Water Crisis is about more than one city. It is about whether state policy will protect communities or be manipulated by powerful interests. We urge you to stand with Camarillo, and with all small cities fighting for a fair share of California's most precious resource. We look forward to meeting with you in the coming weeks and working together to address this matter.

Sincerely,

Kevin Kildee
Mayor

cc:

- Governor Gavin Newsom
- Vishesh Anand, Governor's Office of External Affairs
- Assemblymember Steve Bennett
- Assemblymember Jacqui Irwin
- Congresswoman Julia Brownley
- Congressman Salud Carbajal
- Ventura County Supervisor Janice S. Parvin
- Ventura County Supervisor Jeff Gorell
- Ventura County Supervisor Matt LaVere
- Ventura County Supervisor Kelly Long
- Brian Miller, Chief of Staff to Supervisor Kelly Long
- Ventura County Supervisor Vianey Lopez
- Camarillo Vice Mayor David Tennessen
- Camarillo City Councilmember Martita Martinez-Bravo
- Camarillo City Councilmember Susan Santangelo
- Camarillo City Councilmember Tony Trembley
- John Demers, Executive Officer, Fox Canyon Groundwater Management Agency
- Karla Nemeth, Director, California Department of Water Resources
- *Ventura County Reporter*
- *Ventura County Star*
- *Camarillo Acorn*

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

MINUTES

Minutes of the Friday, June 13, 2025, hybrid special meeting of the Fox Canyon Groundwater Management Agency Board of Directors, also sitting as watermaster for the Las Posas Valley Basin and the groundwater sustainability agency for the Las Posas Valley Basin, the Pleasant Valley Basin, and the Oxnard Subbasin. The meeting occurred via Zoom and in-person in the Multi-Purpose Room at the Ventura County Government Center, Hall of Administration, at 800 South Victoria Avenue, Ventura, California.

1. Call to Order

12:32 P.M.

Chair Eugene F. West called the meeting to order.

2. Pledge of Allegiance

Chair West led the Pledge of Allegiance.

3. Directors Present

Chair Eugene F. West
Director Lynn Maulhardt
Director Tony Trembley
Director Michael Craviotto

Director Kelly Long was absent.

Alternate Directors Bert Perello and Reddy Pakala attended as members of the public. Alternate Director Pakala attended remotely.

Agency Staff Present

Jeff Palmer, Interim Executive Officer
Jason Canger, Agency Counsel (attended remotely)
Farai Kaseke, Assistant Groundwater Manager
Elka Weber, Clerk of the Board

4. Agenda Review

12:33 P.M.

Motion: Director Trembley moved to defer Item 18 to the FCGMA Board of Directors Regular meeting scheduled to occur June 25, 2025, per Interim Executive

Officer Jeff Palmer's recommendation. Director Craviotto seconded the motion. Chair West called for a vote of all those in favor at 12:33 P.M. The motion passed with all present in favor.

5. Public Comments 12:33 P.M.

No public comments were made.

6. Executive Officer's Comments 12:33 P.M.

Acting Interim Executive Officer Jeff Palmer noted that the Agency would like to bring several discussion items regarding procedural topics to subsequent Board agendas, such as special projects, data discovery, systematically addressing the variance processing backlog, and allocation credits. Director Maulhardt asked if such topics should be discussed on the Committee level before reaching the Board. Chair West noted that the Board would be able to recommend directives to staff on these issues with more expediency than on the Committee level.

7. Board Member Comments 12:36 P.M.

No Board Member comments were made.

CORRESPONDENCE AGENDA 12:36 P.M.

8. Receive and file correspondence from Bryan Bondy, Executive Director, Mound Basin Groundwater Sustainability Agency (MBGSA), regarding the initiation of MBGSA's periodic evaluation of the Groundwater Sustainability Plan for the Mound Basin, dated May 22, 2025.

CONSENT AGENDA 12:36 P.M.

9. Approval of Minutes of the April 23, 2025, Board Regular meeting.
10. Approval of Minutes of the May 9, 2025, Board Special meeting.
11. Approval of Minutes of the May 23, 2025, Board Special meeting.

CONSENT AGENDA – FCGMA Items

12. FCGMA Financial Status Report for April 2025.

CONSENT AGENDA – LPV Watermaster Items

13. LPV Watermaster Financial Status Report for April 2025.

Motion: Director Trembley moved to adopt the Consent Agenda as presented. Director Maulhardt seconded the motion. The motion passed with all present in favor at 12:36 P.M.

REGULAR AGENDA 12:36 P.M.

14. Fox Canyon Groundwater Management Agency Board of Director Compensation

Director Trembley introduced the Item, noting that the Agency ought to provide minimal compensation for the Board of Directors. It makes sense from an equity standpoint, he noted, adding that it is standard practice for a regulatory agency board. Under California Water Code § 20200 - 20207, the FCGMA qualifies as a water district and its Board would be able to adopt an ordinance per Water Code regulations for minimal compensation.

Chair West asked for Board comments at 12:39 P.M. Director Maulhardt noted that United Water Conservation District compensates him for up to 10 meetings a month. Very rarely, he attends more than 10 meetings a month. Regardless, Director Maulhardt continued, he bills United for this compensation every month. He added that this is a valid discussion point, especially for Board representatives who do not receive compensation from their respective agencies, cities, or districts.

Director Trembley noted that compensation can be capped; for example, he suggested the Board consider compensation for 2 meetings a month at $100.

Chair West asked for public comment at 12:43 P.M.

Public comment was made by:

> Alternate Director Bert Perello, who stated that he does receive compensation from the City of Oxnard for attending other meetings. He asserted that this topic is wise for the Board to consider.

The Board asked staff to work with Agency Counsel to research and prepare a presentation and materials to authorize compensation for the FCGMA Board of Directors for consideration at a future meeting.

As the Item was informational and for discussion only, no formal Board action was taken.

15. Approval of Engagement Letter with Jonathan Fraser Light of Light Gabler LLP for Representation in Negotiations of an Updated Agency Staff Services Agreement and Provide Direction on Scope of Engagement and Budget.

12:44 P.M.

Chair West introduced the Item and stated that the Board needs separate counsel independent of the County to advise the Board regarding negotiations of an updated agreement for Agency staff services.

During Board discussion, Director Trembley noted that while he was previously affiliated with John Light many years ago, they were law partners. Director Trembley stated that he has no present or recent affiliation with Light Gabler LLP and thus has no conflict of interest with the proposed engagement.

Director Maulhardt reminded the Board that staff works very hard, that the Agency is still, in his opinion, understaffed, and that he supports this Item.

Motion: Director Maulhardt moved to approve, and authorize the Chair to sign, an engagement letter with Jonathan Fraser Light of Light Gabler LLP for representation of the Agency Board in negotiations of an updated agreement for Agency staff services. Director Trembley seconded the motion. Chair West called for a vote of all those in favor. The motion passed with all present in favor at 12:46 P.M.

REGULAR AGENDA – FCGMA Items 12:46 P.M.

16. Authorization for Interim Executive Officer to Continue Temporary Variances Pending Decisions on Variance Applications for Operators in the Oxnard and Pleasant Valley Basins in Water Year 2024-25

Assistant Groundwater Manager Dr. Farai Kaseke presented the Item and provided background on previous Board authorizations of temporary variance applications.

During Board discussion following the presentation, Chair West disclosed that he hated this idea because the temporary variances backlog has gone on for far too long, but that he will support it. Chair West proposed an ad hoc Board committee to support staff with regular updates until the backlog is resolved. He clarified that the ad hoc committee would convene for a duration of one year and meet with staff until the backlog is resolved.

Director Craviotto volunteered to serve on the ad hoc committee and suggested they also be responsible for suggestions to clear any delays that may be dependent on other unresolved issues, such as CombCodes. Director Maulhardt noted that there are a lot of complex issues with past applications, and that the scope of the ad hoc committee needs to address a remediation process for the backlog, but also a standardized, streamlined process for future temporary variance applications.

Director Trembley voiced his support for the ad hoc committee and asked how long resolving the backlog would take. Will the Board be provided a timeline? A timeline was not included in the Interim Executive Officer Jeff Palmer responded that staff can pull together that information for consideration.

Director Craviotto asked after the scope of the pending variance applications. Dr. Kaseke responded that he can speak to scope and will follow up with Director Craviotto.

Chair West asked for public comment at 12:56 P.M.

Public comment was given by:

Jurgen Gramckow, President, Southland Sod, and

Greg Lewis, Vice President, Duda Farm Fresh Foods, Inc.

During his comments, Mr. Gramckow requested postponing this Item, stating it might be advisable to do so because legal recourse is being taken between landlords and tenants who refused to file extraction reporting during the base period, leaving landlords in the lurch. Chair West responded that resolving the backlog is this Board's responsibility.

Motion 1: Chair West moved that the Board authorize the Interim Executive Officer to approve temporary variances for Water Year 2024-25 for agricultural operators in the Oxnard and Pleasant Valley Basins ("OPV Basins") with pending variance applications up to the amount of extractions which did not incur surcharges in Crop Year 2017/18; and that the Board authorize the Interim Executive Officer to approve temporary variances for Water Year 2024-25 for M&I and domestic operators in the OPV Basins with pending variance applications up to the amount of extractions that did not incur surcharges in calendar year 2018. Director Trembley seconded the motion. Chair West called for a vote of all those in favor. The motion passed with all present in favor at 1:04 P.M.

Motion 2: Chair West moved to authorize an ad hoc committee and to assign a series of tasks to the committee with briefings, in order to develop a scope identifying specific issues involved, with a timeline that includes interim goals, to assist staff with expeditiously resolving the pending temporary variance applications as described. Director Trembley seconded the motion. Chair West called for a vote of all those in favor. The motion passed with all present in favor at 1:09 P.M.

17. Public Hearing on Appeal of Interim Executive Officer's Decision to Deny FCGMA Water Well Application No. 0309, R.N. Daily Ranch, LLC [CombCode: RNDCAM] 1:10 P.M.

Chair West, in his capacity as Hearing Officer, gave a brief overview of the structure of the appeal hearing: Agency staff will present their report, the appellant will present, persons in favor of the appeal will then present, followed by persons opposed; the appellant will then present a rebuttal if they have one prepared, followed by closing comments from Agency staff or Counsel, culminating in Board discussion and decision.

The full appeal hearing, and all presentations, are available via this meeting's recording[1].

The Clerk of the Board swore in Interim Executive Officer Jeff Palmer, and Assistant Groundwater Manager Dr. Farai Kaseke, for the hearing. Dr. Kaseke presented for the Agency and provided background of the application and the procedural issues related to why it was denied. Well permit applications in the Oxnard Subbasin and Pleasant Valley Basin (OPV) are reviewed for compliance with the Agency Ordinance Code[2], Emergency Ordinance E[3] and the OPV Allocation Ordinance[4]. Per Dr. Kaseke's presentation, the FCGMA Water Well Application was denied by the Interim Executive Officer because it failed to meet Agency Ordinance requirements and was not submitted jointly. Per the OPV Allocation Ordinance (October 23, 2019), which sets new extraction allocations based on the historical allocations during the base period 2005-2014 and allows for the transfer of allocations; "Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal." (OPV Allocation Ordinance, § 9.2.) Additionally, the OPV Allocation Ordinance and the Agency Ordinance Code both require that the requested transfer be submitted jointly by the parties involved and include specific details of their proposal (OPV Allocation Ordinance, § 9.2; Agency Ordinance Code, § 5.3.5.). Further, under Emergency Ordinance E, *An Emergency Ordinance Limiting Extractions From Groundwater Extraction Facilities, Suspending Use of Credits and Prohibiting Construction of Any Groundwater Extraction Facility and/or the Issuance of Any Permit*; "The Board prohibits the issuance of any permit for construction of a groundwater extraction facility, other than a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater, within the territory of the Agency…" (Emergency Ordinance E, Art. 4.) Emergency Ordinance E also limits construction of new wells to "replacement, backup or standby wells that do not result in "the initiation of any new or increased use of groundwater…" (Emergency Ordinance E, Art. 4.)

Per Dr. Kaseke, the Agency is not aware of any well sharing agreement between the parties involved. The Agency is not aware of any agreement by one party authorizing the filing of an application by another party, nor approving the transfer of allocation from one well to another. Both parties appear to be in a current probate dispute. It is unclear to the Agency whether ownership of the original well, and/or the authority to transfer an extraction allocation, is at issue in this dispute. He concluded that the transfer of allocation application package was incomplete, compliance with the Ordinance Code could not be determined, and the appeal should be denied.

Chair West questioned whether the well drilling permit to drill a new well was related to the denied well application. The second issue of the transfer seems to Chair West to be out of compliance with Agency Ordinances as it was not submitted jointly. Dr. Kaseke noted that this could be the case, that the well could be drilled without an allocation, but significant cost would be involved for a well that would not be permitted to pump water

[1] Materials (Item 17) and recording: https://ventura.primegov.com/Portal/Meeting?meetingTemplateId=21217
[2] https://s42135.pcdn.co/wp-content/uploads/2024/10/Ord-Code-FINAL-Amended-05-25-2022.pdf
[3] https://s42135.pcdn.co/wp-content/uploads/2023/02/Emergency-Ordinance-E-Orig.-Signed.pdf
[4] https://s42135.pcdn.co/wp-content/uploads/2022/06/Ord-to-Establish-an-Allocation-System-for-the-OPV-Groundwater-Basins-with-Amendments.pdf

without an allocation. Interim Executive Officer Jeff Palmer noted that, from a procedural standpoint, there are 2 parcels owned by 2 different people, with a well on one parcel that has an allocation (as no transfer has occurred to alter its allocation), and a second parcel with failed replacement well and a new well that is looking to legally transfer the allocation from the well with an allocation on the first parcel to its new well. From a procedural standpoint, a joint use agreement and/or consent from both parties must be present for the transfer.

Director Craviotto questioned whether the allocation was tied to the CombCode or the well. Dr. Kaseke clarified that allocation was tied to the well. Dr. Kaseke continued that you can combine allocations onto a CombCode by grouping wells together, but the allocation for each well stays with that well, not the CombCode. The CombCode was for owner/operator ease of reporting. Allocations stay with their respective wells.

Director Maulhardt voiced support for following Agency procedures, with proper and compliant documentation submitted, especially when a dispute between parties is present. Director Maulhardt stressed that the Agency should not be involved with solving a probate dispute. That is not the function of the Agency. Director Maulhardt asserted that the parties involved need to submit the correct documentation to the Agency. If the Agency does not deny this transfer without the proper paperwork in compliance with the Agency's Ordinance Codes, the Agency could end up liable in court. Interim Executive Officer Jeff Palmer agreed and asked that the Agency be provided with the proper documentation to proceed.

The Clerk of the Board swore in Mr. Gary Arnold of Arnold LaRochelle Mathews VanConas & Zirbel LLP, who presented for the appellant R.N. Daily Ranch, at 1:41 P.M. Mr. Arnold asserted his argument that in order for the Agency to allow the drilling of a well, it was incumbent upon the FCGMA to award an allocation, and thus with the granting of the permit to drill the new well, the allocation transfer has already been awarded. The land was being jointly farmed; the 225 acres on one parcel, and the 50 acres on the other parcel, currently only have enough water to farm 100 acres. There is not enough water to service it without the allocation. Mr. Arnold further asserted that the transfer requirements of both the OPV Allocation Ordinance, § 9.2 and Agency Ordinance Code § 5.3.5, have been satisfied merely by the issuance of the permit to drill the new well, because you could not drill a well without an allocation. Mr. Arnold stated that this well was a replacement well and was thus automatically awarded an allocation.

During Board questions, Director Maulhardt asked why the paperwork could not be completed in order for this allocation transfer application to be in compliance. Director Trembley asked Mr. Arnold why the two parties involved could not submit a joint application in order to ensure enough allocation to farm the parcels. Mr. Arnold responded that he did not know; he represents Daily Ranch, not Mrs. Daily.

No additional presentations were given in favor of the appeal.

At 2:05 P.M., the Clerk of the Board swore in Mr. Brian Hamilton of Downey Brand LLP, who represents the Nottingham Trust, who presented for the parcel owner in opposition to the appeal. Mr. Hamilton stated that the Nottingham Trust does not currently join the

application. The representation made that the properties being jointly farmed is no longer true. The current lease by Duda Farms does not include Mr. Hamilton's client. Mr. Hamilton said he did not think that it is this Board's responsibility to solve this dispute. He thanked the staff for ensuring that the allocation belonging to his client is not given to another party without their consent. Mr. Hamilton stated that he is not the trust attorney, and he is not certain what the resolution to what the probate dispute may be at this point. Regarding the allocation, the Basin that his client's APN is in is still under well-based allocation and that is a valuable right that Mr. Hamilton's client is entitled to retain and does not want to lose without consent. Mr. Hamilton stated that his client agrees with staff regarding the procedural compliance issue at hand and urged the Board to adopt the staff's recommendation.

Chair West clarified that the FCGMA does not adjudicate water rights. Allocations may be a different matter. Chair West wondered if the new well is drilled, wouldn't that then give the entire allocation to it, releasing the other parcel of any allocation. Mr. Hamilton said that this is his client's concern. What if his client wishes to drill a replacement well in the future? Would granting this appeal unilaterally alter the allocation?

No additional presentations were given in opposition to the appeal.

At 2:08 P.M. in rebuttal, Mr. Arnold said his client can be equitable, does understand that the allocation is shared, and is open to conditions if the appeal is granted.

At 2:10 P.M., Mr. Palmer provided the staff response, noting that the Agency considers this a procedural question. The allocation did not transfer, as stated by the applicant. The wells were combined on one CombCode. The allocation stays with the well. Absent of a joint application or sharing agreement, the allocation stays with the well.

During Board discussion, Chair West asked then that the new well which has been pumping and reporting under this CombCode for years does not have an allocation. Dr. Kaseke responded that the destroyed well still has the allocation until the complete paperwork has been submitted. Having people report with the wells on one CombCode allows people to move forward while their paperwork is still in process. Dr. Kaseke noted that the Agency is still waiting for the paperwork to transfer the allocation to the new well. The FCGMA is not aware if a well sharing agreement has been put in place.

Director Maulhardt asked whether the original well is actually destroyed per the County's registered process? Mr. Arnold stated that the original well was formally abandoned by County process. Its replacement well, which has failed, has not been formerly destroyed yet. Director Maulhardt identified this as a procedural problem because the status of the wells is in question without the proper paperwork. The Agency requires paperwork that is correct and compliant, Director Maulhardt continued. We must ensure there are not liabilities via paperwork that allow for loopholes; we do not want to set the wrong precedent.

Chair West stated that if the replacement well hadn't failed, it'd still be using this allocation. Since the original well still exists, one could theoretically pump the allocation via a new replacement well if it's on the same CombCode. Chair West noted that he doesn't want

the property to be abandoned. Chair West said he liked the solution proposed by Mr. Arnold to overturn the denial subject to a shared ownership or well sharing agreement between both parties.

Director Trembley thanked the appellant and opposition for their presentations. He then stated that the staff recommendation on this denial is correct. Staff is accurately reading the Ordinance requirements and requesting an application in compliance. Further, Director Trembley continued, it is not this Board's responsibility to solve this dispute. The Agency cannot move forward without consent; to move forward, the parties involved need to submit a joint application. If this appeal is granted to the appellant landowner, Director Trembley is of the opinion that it would be prejudicial to the other owner.

Director Craviotto stated that this new well seems like a backup well on the same CombCode and does not constitute new use.

Motion: At 2:25 P.M., Director Trembley moved to affirm the Interim Executive Officer's denial of Application No. 0309; to direct Agency Counsel to prepare a written decision affirming the denial of Application No. 0309; and to continue this hearing until a future FCGMA Board meeting where a final written decision on Daily Ranch's appeal can be adopted. Director Maulhardt seconded the motion. Chair West asked for a roll call vote on the motion raised.

Chair West and Director Craviotto voted no. Directors Maulhardt and Trembley voted yes. Director Long was absent from the meeting. As no consensus was reached, no majority vote was found, which automatically denied the motion and continued the hearing until a future meeting with the full Board present.

REGULAR AGENDA – LPV Watermaster Items

18. Adopt Proposed Resolution No. 2025-03, A Resolution Establishing the Rate of the Las Posas Valley Overuse Assessment on the Use of Groundwater in Excess of What the Judgment Allows.

Per Item 4, Agenda Review, this Item was tabled until the FCGMA Board Regular meeting scheduled to occur June 25, 2025.

2:31 P.M.

19. Las Posas Valley Policy Advisory Committee Member Attendance

Assistant Groundwater Manager Dr. Farai Kaseke presented the Item and cited the LPV Judgment's requirements for Committee member attendance, stating that the Agency, acting as Watermaster, strives to comply with the Judgment.

"Members of the Committee must regularly attend all Committee meetings. Any Committee member who fails to attend at least 75 percent of regular Committee meetings in a calendar year shall be removed by action of Watermaster." (Judgment, § 6.6.)

"A member of PAC also may be removed by Watermaster, following consultation with PAC, for cause where a PAC member fails to comply with requirements for Committee Attendance and Participation in Section [6.6] or otherwise is preventing PAC or Watermaster from carrying out their respective duties and responsibilities under the Judgment." (Judgment, §6.10.2.)

Dr. Kaseke reported that not all members met the 75% attendance requirement as outlined in the Judgement; the East Las Posas Management Area (ELPMA) Small Agriculture Representative attended approximately 53% of regular meetings. The PAC's recommendations on this issue are inconsistent with the Judgment as written. Dr. Kaseke asked the Board to remove the ELPMA Small Agriculture representative from the PAC for failing to meet attendance requirements; and to notify the East Las Posas Management Area Constituent Group to convene a meeting and hold a vote to elect a new representative to fill the vacancy.

Chair West asked if anyone has contacted the representative in question. Rob Grether, Vice Chair of the LPV PAC, stated that he reached out to the representative and he is willing to continue with a renewed commitment to attend the majority of PAC meetings. He continued that while the Judgment says the Board can intervene, it doesn't specify when. Chair West agreed and stated that this Item seems to be a hyper technical reading of the Judgment which he feels is unnecessary and questioned why the Board was hearing this Item at all.

Director Maulhardt asked for clarification from staff. Dr. Kaseke stated that the decision rests with the Board; Director Maulhardt then summarized that staff does not have the authority to make this call and stressed that the Board needs to follow procedures and adhere to the Judgment. Dr. Kaseke reiterated that the authority rests with the Board, not with PAC.

The Board discussed postponing the Item.

Director Trembley stated that staff was right to bring this Item to the Board. The section of the Judgment may be prescriptive, but it is a policy decision for the Board to make. The Judgment also specifies when to remove; it indicates a member who does not meet the 70% attendance threshold in a year.

Dr. Kaseke stated that staff can send an email to the ELPMA Constituent Group to hold the election, and that it is that group's right to re-elect the current representative if that is the result of their election.

Motion 1: At 2:51 P.M., Director Maulhardt moved to defer the Item for six months. Chair West seconded the motion.

Chair West asked for public comment on the motion. Public comment was given by:

Bert Perello, FCGMA Alternate Director, and

Rob Grether, Vice Chair, LPV PAC.

Mr. Grether was of the opinion that the Judgment determined the threshold to ensure a quorum would regularly be present, properly representing the constituency groups. Of PAC's recommendation on this Item, Mr. Grether stated he felt PAC was trying to strike a middle ground. His personal recommendation would then be adopting the staff's recommendation, over postponing the Item for six months.

Director Trembley stated that he is in favor of the motion as recommended by staff.

Motion 1 Vote: At 2:57 P.M., Chair West asked for a roll call vote on the current motion. Chair West and Director Maulhardt voted yes, while Directors Craviotto and Trembley voted no. Vice-Chair Long was absent from the meeting. As no consensus was reached, no majority vote was found, which automatically denied the motion.

Motion 2: At 2:58 P.M., Director Trembley moved to remove the East Las Posas Management Area Small Agriculture representative from the PAC for failing to meet attendance requirements; and to notify the East Las Posas Management Area Constituent Group to convene a meeting and hold a vote to elect a new representative to fill the vacancy. Director Maulhardt seconded the motion. Via roll call vote, all present were in favor. The motion passed.

CLOSED SESSION AGENDA 2:59 P.M.

Chair West asked for public comment regarding the three matters agendized in closed session. Hearing none, Chair West recessed into closed session at 2:59 P.M. and noted that the Board was likely to adjourn the meeting from closed session.

20. PUBLIC EMPLOYEE EMPLOYMENT AND APPOINTMENT (Gov. Code, § 54957, subd. (b)(1)) TITLE: Executive Officer

21. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE: Las Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI0059700

22. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE: OPV Coalition et al v.

Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI00555357

23. Adjournment

Chair West adjourned the meeting from closed session.

Submitted by:

_____
Elka Weber, Clerk of the Board

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

MINUTES

Minutes of the Wednesday, June 25, 2025, hybrid regular meeting of the Fox Canyon Groundwater Management Agency Board of Directors, also sitting as watermaster for the Las Posas Valley Basin and the groundwater sustainability agency for the Las Posas Valley Basin, the Pleasant Valley Basin, and the Oxnard Subbasin. The meeting occurred via Zoom and in-person in the Board of Supervisors Hearing Room at the Ventura County Government Center, Hall of Administration, at 800 South Victoria Avenue, Ventura, California.

1. Call to Order

12:33 P.M.

Chair Eugene F. West called the meeting to order.

2. Pledge of Allegiance

Alternate Director Bert Perello led the Pledge of Allegiance.

3. Directors Present

Chair Eugene F. West
Director Kelly Long
Director Lynn Maulhardt
Director Michael Craviotto
Alternate Director Bert Perello, attending for Director Tony Trembley

Alternate Directors David Borchard and Reddy Pakala attended as members of the public. Both Alternate Directors attended remotely.

Agency Staff Present

Jeff Palmer, Interim Executive Officer
Jason Canger, Agency Counsel
Farai Kaseke, Assistant Groundwater Manager
Robert Hampson, Groundwater Specialist
Raya Nour, Engineer
Kathy Jones, Staff Services Specialist
Elka Weber, Clerk of the Board

4. Agenda Review 12:34 P.M.

Interim Executive Officer Jeff Palmer asked the Board to consider hearing Item 13 before Item 12. The Board agreed.

5. Public Comments 12:34 P.M.

No public comments were made.

6. Executive Officer's Comments 12:35 P.M.

No comments were made.

7. Board Member Comments 12:35 P.M.

Chair West informed the public and the Board that Mike Kelly, former FCGMA Director and farmer, has passed away. Dr. Kelly's service will be remembered and honored.

CONSENT AGENDA 12:35 P.M.

CONSENT AGENDA – FCGMA Items

8. FCGMA Financial Status Report for May 2025.

CONSENT AGENDA – LPV Watermaster Items

9. LPV Watermaster Financial Status Report for May 2025.

Motion: Director Long moved to adopt the Consent Agenda as presented. Director Maulhardt seconded the motion. The motion passed with all in favor at 12:35 P.M.

REGULAR AGENDA – LPV Watermaster 12:35 P.M.

10. Adopt Proposed Resolution No. 2025-03 to Establish the Amount of the Las Posas Valley Overuse Assessment on the Use of Groundwater in Excess of What the Las Posas Valley Adjudication Judgment Allows

Assistant Groundwater Manager Dr. Farai Kaseke presented the Item and provided background on overuse as specified in the Las Posas Adjudication Judgment (Judgment)[1]. The Judgment defines overuse as a use in excess of that allowed under the

[1] See *Judgment, § 4.15* and subsections: https://s42135.pcdn.co/wp-content/uploads/2023/08/Judgment-w-Exhibits.cleaned.pdf

Judgment (and defines annual allocation as the maximum annual amount of allocated groundwater a Water Right Holder may use pursuant to an allocation in a given Water Year). There are three possible occurrences of overuse: groundwater use in excess of annual allocation granted to a Water Right Holder, a Mutual Water Company reports on behalf of its Exclusive Shareholders an aggregate use that exceeds the aggregate mutual supply, or a Mutual Water Company Shareholder without an allocation uses groundwater.

The Judgment provides a "cure" for overuse, including a cure period which must occur in the Water Year (WY) following the Water Year in which overuse occurred: use must be less allocated groundwater than annual allocation in a quantity equal to or greater than the overuse from the prior Water Year, or use must be less allocated groundwater than the aggregate mutual supply, in a quantity equal to or greater than the overuse from the prior WY. Failure to cure overuse as provided in the Judgment will then make the party subject to an Overuse Assessment (OA) and/or injunctive relief.

Regarding timeline, WY 2023 was the first year of groundwater use reporting to LPV Watermaster. WY 2024 served as the cure period for overuse that occurred during WY 2023. Overuse information was included in the 2024 LPV Groundwater Sustainability Plan Annual Report submitted to the Department of Water Resources and the Court as Appendix A in April 2025[2]. The Judgment requires committee consultation to establish the amount of Overuse Assessment; Dr. Kaseke directed the Board's attention to the Recommendation Report provided by the LPV Policy Advisory Committee (PAC)[3] included in this meeting's Agenda and thanked the PAC for their work.

Dr. Kaseke continued, explaining that the levying of an Overuse Assessment is meant to discourage groundwater use in excess of that allowed under the Judgment, and reminded the Board that the Agency has historically set the rate of extraction surcharges at the prevailing Tier 2 Supply Rate of Calleguas Municipal Water District (CMWD). CMWD, a member agency of the Metropolitan Water District, the largest purveyor within FCGMA boundaries, discontinued levying a Tier 2 Supply Rate and adopted their Teir 1 2025 Supply Rate set based on Metropolitan's cost of maintaining a reliable amount of supply; CMWD's adopted 2025 Tier 1 Supply Rate is $1,895[4]. The PAC has recommended that the OA be charged at the prevailing Calleguas Tier 1 rate at the end of the Water Year cure period, and that funds received from Overuse Assessments be sequestered in a separate Watermaster account reserved for replenishment related expenditures. Agency staff incorporated PAC recommendations in proposed Resolution No. 2025-03 and noted that the proposed resolution further stipulates that Overuse Assessments become delinquent and start to accrue interest beginning one month after they are due, similar to the Judgment's requirement that delinquent Basin Assessments bear interest at the then current real property tax delinquency rate for Ventura County. The proposed Resolution

[2] Appendix A, beginning p. 94: https://s42135.pcdn.co/wp-content/uploads/2025/03/LPVB_WY2024_Annual_Report_wappendices.pdf
[3] See 6/25/2025 dropdown entry for Overuse at: https://fcgma.org/recommendation-response-reports/wy-2024_rec-resp-reports/
[4] See 10C: https://s42135.pcdn.co/wp-content/uploads/2025/07/20250625_Proposed-Resolution-No.2025-03-to-Establish-the-Amount-of-the-LPV-Overuse-Assessment-on-the-Use-of-Groundwater.pdf

No. 2025-03, presented with this Item to the Board, would also automatically adjust the Overuse Assessment rate consistent with CMWD Tier 1 rates as they are adopted.

Dr. Kaseke clarified that the proposed resolution does not involve the applicability of Overuse Assessments; applicability and obligation to pay is mandated by the Judgment. The proposed resolution establishes the amount or rate of the OA to be levied in the future once Watermaster determines overuse, if any. It does not involve the levying of an OA on any party or Water Right Holder.

Chair West asked for Board member comments. Director Maulhardt asked what entity is responsible for determining who the Overuse Assessment applies to. Agency Counsel Jason Canger responded that the LPV Adjudication Judgment directs the application of the OA. The OA is established by the Judgment, and the Judgment delegates the authority to determine the rate of that Overuse Assessment to the Watermaster. Mr. Canger confirmed that the Judgment determines who the OA applies to, not Watermaster.

Director Maulhardt appreciated that the Agency is following the Judgment to compliance, but worried that this issue may open the Agency up to liability. He referenced the correspondence that the Board received as a handout before the meeting, regarding enforcement against omitted water rights holders, those who are currently collectively appealing the LPV Judgment[5]. Chair West stated that he didn't see a problem with the Overuse Assessment per the Judgment, which assigned to the Watermaster the authority to determine the Overuse Assessment rate, which is in total what the proposed resolution accomplishes. He reminded the Board that setting an OA rate is mandated by the Judgment and noted that the OA is similar to the surcharge penalties levied by FCGMA for exceeding allocation in other Basins. Chair West stated that this was a housekeeping issue, in that proposed Resolution 2025-03 does not identify parties to be enforced against, or how.

Regarding who would be enforced against, or what parties to which the Overuse Assessment would apply, Director Craviotto requested that the PAC be consulted for a recommendation.

Chair West asked for public comment at 12:52 P.M. Public comment was made by:

Darrell Smith, grower,

Debra Tash, grower,

Doug Holmze, multigenerational farmer, and

Joe Gillaspy, farmer.

At 1:00 P.M. during Board discussion following public comment, Chair West stated that the Agency is sensitive to those who did not receive an allocation during the LPV Adjudication process. He pointed out that there will be theoretical Water Right Holders who have pumped over their allocation, who will, one day, be subject to an Overuse

[5] See https://ventura.primegov.com/viewer/preview?id=374650&uid=2603e61b-a7bc-4439-8f83-086c8fed5ae2&type=2

Assessment, and that the Board intends to levy an OA against such in the future. He stated that there is no plan to enforce against those without allocation in the LPV Basin who are currently appealing the Judgment. He reiterated that the proposed resolution intends to establish the amount of the Overuse Assessment as a procedural step to put the enforcement mechanism in place for future use; it does not enact any enforcement mechanism. Chair West then clarified that Watermaster is seeking to, one day, enforce against those with water rights who are using too much.

Director Craviotto confirmed the cure period for the first year of reporting and asked Dr. Kaseke when the Overuse Assessment and Carryover information would be posted in 2025. Dr. Kaseke responded that the Annual Allocations Accounting process for WY 2024, once complete, would show those who rectified their WY 2023 overuse during the cure period in WY 2024. He responded that staff are hoping to complete this process before the start of the new Water Year on October first.

Director Maulhardt acknowledged the precedent for levying enforcement charges against overuse and agreed that rising costs present financial burden to farmers based on his own experience as a multigenerational farmer. He encouraged the appellants to continue their appeal of the Judgment.

Director Long confirmed the PAC's recommendations and, sensitive to the financial burden of the proposed rate, asked whether there was any flexibility in the amount of the Overuse Assessment as based on CMWD's Tier 1 rate. Ian Prichard, Deputy General Manager, Calleguas Municipal Water District, responded that Metropolitan discontinued their Tier 2 rate, which then led CMWD to discontinue theirs, hence the PAC recommended the OA be pegged to the Tier 1 rate. Mr. Prichard noted that the cost of Metropolitan's Tier 1 rate is already cheaper than the cost to get water into the ground. This is the cost that CMWD sells to its purveyors; in order to get water into the ground from any of CMWD's purveyors, as an example, Water Works Districts 1 and 19 buy from CMWD and then sell to their retail customers at a higher cost than what they buy from CMWD. Director Long thanked Mr. Prichard for his transparency noted that she's frustrated by the lack of a current water market or other avenues for acquiring more water and emphasized that this dialog is important for stakeholders to hear for transparency's sake. Mr. Prichard agreed and noted that CMWD sells water at a price that they've demonstrated through its public process as the actual cost of delivering that water; they can't then provide water at a cheaper rate to others without anticipating blowback and noncompliance to applicable regulations such as Proposition 218.

Director Maulhardt acknowledged that the cost has also gone up at the state level. He reminded the public that the FCGMA appeals were denied during the LPV Adjudication process.

Motion: Director Craviotto made the motion that the Board adopt Resolution No. 2025-03 establishing the amount of the Overuse Assessment on groundwater use in excess of what's allowed under the LPV Adjudication Judgment equal to the prevailing Calleguas Municipal Water District's Tier 1 rate at the end of the cure period Water Year 2024, setting the interest rate on delinquent Overuse Assessments equal to the current real property

tax delinquency rate for Ventura County, and directing staff to deposit Overuse Assessments collected from water right holders in the separate Watermaster Overuse Assessment account. Alternate Director Perello seconded the motion. Chair West asked for a roll call vote. The motion passed in with all in favor at 1:17 P.M.

11. Adopt the 2025 Las Posas Valley Basin Optimization Plan and Related Response Reports 1:17 P.M.

Assistant Groundwater Manager Dr. Farai Kaseke presented the Item, including a timeline of the Basin Optimization Plan's development, and directed the Board's attention to the LPV Policy Advisory Committee (PAC) and LPV Technical Advisory Committee (TAC) recommendations collected in the Item's exhibits. Both Committees reviewed drafts of the Basin Optimization Plan in at least three meetings each; the PAC provided 6 recommendations and 99 comments, and the TAC provided 10 recommendations and 129 comments[6]. Dr. Kaseke thanked the TAC and PAC for their collaboration and noted that Watermaster adopted their recommendations. Watermaster combined recommended projects to list nine in total:

1. Model Scenario Development
2. East Las Posas Numerical Modeling
3. West Las Posas Modeling Coordination
4. Draft and Final Basin Optimization Yield Study
5. Watermaster Response Reports
6. Committee Meetings
7. Project Management and Coordination
8. West Las Posas Modeling (including a Baseline Model Scenario, Projects Scenario, and Alternative Scenarios and Rampdown)
9. Response to Data Requests

Dr. Kaseke noted that the Basin Optimization Plan is an iterative process that updates every five years. He reminded the Board that the Watermaster is currently a year behind the Judgment's timeline.

Chair West thanked the PAC and the TAC for their helpful recommendations. Director Maulhardt agreed and said that the Committees have collectively acted as a supportive entity.

Chair West asked for public comment at 12:52 P.M. Public comment was made by:

Darrell Smith, grower.

At 1:27 P.M. during Board discussion following public comment, Chair West stated that, under the Judgment, the goal is to develop projects that help the Agency reach our

[6] See 6/25/2025 dropdown entry for Basin Optimization Plan at https://fcgma.org/recommendation-response-reports/wy-2024_rec-resp-reports/

sustainable yield goals as identified in our Groundwater Sustainability Plans. He asserted that only one of those projects is buying water. Director Maulhardt concurred. Director Long thanked staff for ranking projects according to the criteria previously established by the FCGMA Operations Committee and she acknowledged the dedicated stakeholders who provided their feedback in developing such over many meetings.

Motion: Director Maulhardt moved to approve the Response Reports to the Policy Advisory and Technical Advisory Committees' Recommendation Reports, and to adopt the Las Posas Valley Basin Optimization Plan. Director Long seconded the motion. Chair West called for a vote of all those in favor. At 1:33 P.M. the motion passed with all present in favor.

REGULAR AGENDA – LPV Watermaster Items Continued

13. Las Posas Valley Basin Optimization Yield Study Preferred Modeling Alternative Approach 1:34 P.M.

Per Item 4, Agenda Review: Item 13 was heard before Item 12.

Interim Executive Officer Jeff Palmer prefaced the Item, emphasizing that staff requesting direction from the Board on the preferred modeling alternative approach, and he requested the Board consider continuing this Item if they have significant questions following the presentation.

Assistant Groundwater Manager Dr. Farai Kaseke presented the Item, noting that the LPV Judgment requires Watermaster prepare Basin Optimization Yield Studies; the Study, an iterative process with studies scheduled every 5 years, determines the Operating Yield (OY) and the rampdown rate for each Water Year through WY 2039, with the intent that Sustainable Yield (SY) and Operating Yield are the same by 2040[7]. The Study is also used to determine each Water Right Holder's Annual Allocation, which, Dr. Kaseke reiterated, is the amount of groundwater each Water Right Holder can extract in a given year.

Dr. Kaseke noted that the Judgment stipulated the first iteration of the Basin Optimization Yield Study be completed by January 29, 2025. The Watermaster has had to work with an amended schedule based on completion of modeling scenarios required for the Study.

In the absence of UWCD modeling services, which the Board learns today are unavailable due to the United Model currently subject to Protective Order related to the Oxnard and Pleasant Valley Basins Adjudication, staff together with Agency consultant Dudek have presented alternative approaches and have identified a preferred alternative approach, based on best available science. Dr. Kaseke clarified that "best available science" refers to the "use of sufficient and credible information and data, specific to the decision being

[7] Judgment, § 4.10.2

made and the time frame available for making that decision, that is consistent with scientific and engineering professional standards of practice[8]."

In summary of Committee consultation[9], Dr. Kaseke noted that PAC agreed that the preferred alternative approach would be the most favorable approach given the circumstances; TAC acknowledged that the alternative preferred approach preserves the original technical methodology and maintains consistency with the Groundwater Sustainability Plan and other analyses that also employed the two models representing the LPV Basin. Dr. Kaseke impressed upon the Board the need to move forward now, and reminded the audience that the Study is iterative, with additional studies scheduled to be completed in 2030 and 2035.

During Board comments, Chair West agreed that the preferred approach is an acceptable path forward that minimizes Watermaster exposure to stakeholder criticism or potential consequences from the court due to stagnancy. He agreed with the presentation's emphasis on the timeline and emphasized that it is imperative that the Agency get its work done in a timely fashion based on best available science.

Chair West asked for public comment at 1:55 P.M. Public comment was made by:

Darrell Smith, grower.

Agency hydrogeologist Robert Hampson confirmed that the Grimes Canyon Aquifer is included in the model and will be included in the modeling exercise.

Director Long agreed with Chair West that getting the work done is imperative and expressed gratitude that the Agency now has staff to accomplish its tasks after being short-staffed for a long period.

As this was an Informational Item only, no Board action was taken.

12. Approve and Authorize the Interim Executive Officer to Execute a Professional Services Contract Modification with Dudek to Prepare the 2025 Las Posas Valley Basin Optimization Yield Study 1:59 P.M.

Per Item 4, Agenda Review: Item 12 was heard after Item 13.

Hydrogeologist Robert Hampson presented the Item, noting that the proposed contract modification would enable the Agency to complete the Basin Optimization Yield Study by enabling staff to run the model themselves with consultant Dudek.

To summarize Committee consultation[10], Mr. Hampson noted Watermaster forwarded options (followed by revised options) to complete the Study to PAC and TAC, who

[8] 23 CCR 351 (h), p. 67: https://www.waterboards.ca.gov/laws_regulations/docs/ccr_ch16_202010.pdf
[9] See 6/25/25 dropdown entry for Basin Optimization Yield Study Preferred Modelling Alternative Approach: https://fcgma.org/recommendation-response-reports/wy-2024_rec-resp-reports/
[10] See Item 13 Footnote 9 for collected Study Recommendation and Response Reports.

discussed iterations over nine Committee meetings and who, as noted previously, provided feedback on approved projects to include.

Mr. Hampson stated that a professional services contract modification with Dudek to Prepare the Las Posas Valley Basin 2025 Basin Optimization Yield Study would entail a total contract cost increase of $90,500.00 which brings the total contract maximum cost to $303,000.00.

Motion: Director Long moved that the Board approve and authorize the Interim Executive Officer to execute a Professional Services Contract Modification with Dudek to prepare the Las Posas Valley Basin 2025 Optimization Yield Study. Alternate Director Perello seconded the motion. Chair West called for a vote of all those in favor. The motion passed with all present in favor at 2:04 P.M.

REGULAR AGENDA – LPV Watermaster Items Continued 2:03 P.M.

14. Del Norte Water Company (WMID 3500) and Vanoni Group (WMIDs 1095, 1120, 1121) Protests and Requests for Refund of WY2023 Basin Assessment

Agency Counsel Jason Canger noted that correspondence regarding this Item was submitted the evening before and distributed to the Board as a handout[11], which could be discussed in closed session.

Assistant Groundwater Manager Dr. Farai Kaseke presented the Item, on the protests and requests for refund of Water Year 2023 Las Posas Valley Watermaster Basin Assessments submitted by Del Norte Water Company [WMID 3500] (DNWC) and Mary Vanoni on behalf of WMIDs 1095, 1120, 1121 (collectively, the Vanoni Group).

Dr. Kaseke noted that the Judgment authorizes[12] Watermaster to levy and collect uniform Basin Assessment (BA) per acre-foot of Annual Allocation held by the Water Right Holder. There is an exception to the requirement; the Judgment states Watermaster "may reduce the amount of the Basin Assessments levied on Water Right Holders that pay an assessment to [United Water Conservation District] if Watermaster determines, after Committee Consultation, that such a reduction is appropriate as a matter of equity." Dr. Kaseke noted that this discretion is based on the premise that "Water Right Holders located in the western portion of the Basin within the [United's] service area presently pay assessments to [United], a portion of which is used to finance [United's] ongoing activities that are designed to replenish the Basin and neighboring basins.[13]"

During his presentation, Dr. Kaseke summarized that the protest letters[14] claim that the party is "paying both United and FCGMA" and that "we are truly paying two times for the

[11] See https://ventura.primegov.com/viewer/preview?id=374753&uid=edc6ee93-3aa9-4d82-b1da-f5a8d5590135&type=2
[12] Judgment, § 7.1, 7.2
[13] Judgment, § 7.9
[14] Item 14 materials at https://ventura.primegov.com/portal/item?id=276419

same thing." The protests request that Watermaster "review this situation and resolve it as a matter of equity."

Dr. Kaseke reminded the Board that Watermaster is responsible for implementation of the Judgment, not United Water Conservation District. He provided a timeline for the protest comments and requests, comparing them to the noticing timeline for Basin Assessments, noting that the protested Basin Assessments were levied in WY 2023. WY 2023 Basin Assessments were budgeted and used only for Judgment administration or implementation and related Watermaster activities and work. The monies collected from WY 2023 Basin Assessments were not used for water replenishment projects or services like those provided by United Water Conservation District, to which Del Norte Water Company also pays fees. Dr. Kaseke cited the December 15, 2023, letter to the Board accompanying the Fiscal Year 2023-24 Watermaster Budget, which explained that the budget did not include cost estimates for projects and programs, and that the budget may need to be adjusted with the addition of projects in future Fiscal Years[15].

Chair West asked for public comment at 2:16 P.M. Public comment was given by:

John Orr, farmer, and President of Del Norte Water Company,

Barbara Brenner, counsel for Del Norte Water Company,

Rob Grether, Vice-Chair of the PAC, farmer, and Del Norte Water Company shareholder.

During Board discussion following public comment, Chair West asserted that he is sensitive to Del Norte's argument against timeliness, but not Vanoni Group's argument that Section 9 of the Judgment's exclusion applies to replenishment fees paid to United only because it was submitted more than a year after the Assessment was levied. Regarding Section 9, Chair West was present during the LPV Adjudication proceedings when this language was discussed, and he stated that those terms were exclusively intended to apply to the replenishment fees paid to United by those folks who are paying such fees; it was never intended to apply to administrative costs. It was proposed in that context that Basin Assessments be separated according to administrative or project use, so any subsequent discussions about credit or offset could be isolated and addressed, but that was turned down at the time due to stakeholder concern over having to pay two assessments. Chair West stated that none of the Basin Assessments Watermaster has levied are expended replenishment fees, nor on anything other than administrative work. For this reason, Chair West continued, it is his recommendation to the Board that Del Norte's protest be rejected on the non-duplication of fee grounds and that Vanoni Group's protest be denied on those grounds and being untimely. Alternate Director Perello asked Agency Counsel Jason Canger if he had any objections to Chair West's recommendation; Mr. Canger responded he did not.

Director Maulhardt noted that this is a disagreement based on the language in the Judgment, which is not the province of the Agency to dispute. The court needs to agree on the wording, not the Board. Director Maulhardt asked Ms. Brenner to bring the issue

[15] Item 1 materials: https://ventura.primegov.com/portal/item?id=262660

to the Judge for clarification. Chair West responded that the language in the Judgment is clear, that the Watermaster has the authority to consider and act on an exception.

Director Long stated that she does not see in United's budget where they are charging their ratepayers for FCGMA work, but she is sensitive to the burdensome cost to implement the Sustainable Groundwater Management Act as required by the Department of Water Resources, which is passed to ratepayers through fees. Director Long noted that if you look at United's budgets[16] you can see what their charges are for, and Director Long does not see a duplicative charge. She stated that ratepayers must be treated the same way. She is, however, sensitive to the noticing timeline Del Norte brought up. Director Craviotto agreed that the noticing timeline is a concern and stated that Del Norte has the right to address that.

Motion: Alternate Director Perello moved to Deny the DNWC and the Vanoni Group protests and requests for refund. Director Long seconded the motion. Via a roll call vote at 2:44 P.M. the motion passed with all in favor.

The Board recommended that the protesting party request mediation expeditiously in order to then pursue judicial review of their protest.

CLOSED SESSION AGENDA 2:45 P.M.

Chair West asked for public comment regarding the three matters agendized in closed session. None was given.

Alternate Director Perello recused himself from closed session Item 15.

Chair West recessed the meeting into closed session at 2:46 P.M.

15. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE**: City of Oxnard v. Fox Canyon Groundwater Management Agency, Los Angeles County Superior Court Case No. 20STCP00929

16. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** Las Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI0059700

17. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** OPV Coalition et al v.

[16] https://www.unitedwater.org/key-documents/#financial-reports

Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI00555357

18. Adjournment

Chair West adjourned the meeting from closed session.

Submitted by:

Elka Weber, Clerk of the Board

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

MINUTES

Minutes of the Wednesday, July 23, 2025, hybrid regular meeting of the Fox Canyon Groundwater Management Agency Board of Directors, also sitting as watermaster for the Las Posas Valley Basin and the groundwater sustainability agency for the Las Posas Valley Basin, the Pleasant Valley Basin, and the Oxnard Subbasin. The meeting occurred via Zoom and in-person in the Pacific Conference Room at the Ventura County Government Center, Hall of Justice, at 800 South Victoria Avenue, Ventura, California.

1. Call to Order

11:02 A.M.

Chair Eugene F. West called the meeting to order.

2. Pledge of Allegiance

Chair West led the Pledge of Allegiance.

3. Roll Call

Agency Counsel Jason Canger announced that Director Long is attending the meeting remotely and asked her if anyone 18 years of age or older was in the room with her while she attended the meeting. Director Long answered that no, she was alone in the room, and thanked the Board for allowing her "just cause" reason for remote attendance during today's meeting.

Directors Present

Chair Eugene F. West
Director Kelly Long (attended remotely)
Director Lynn Maulhardt
Director Tony Trembley
Director Michael Craviotto

Alternate Directors Bert Perello and Reddy Pakala attended as members of the public.

Agency Staff Present

Jeff Palmer, Interim Executive Officer
Jason Canger, Agency Counsel
Farai Kaseke, Assistant Groundwater Manager

Robert Hampson, Groundwater Specialist
Raya Nour, Engineer
Kathy Jones, Staff Services Specialist
Elka Weber, Clerk of the Board

4. Agenda Review 11:03 A.M.

No changes were made.

5. Public Comments 11:03 A.M.

No public comments were made.

6. Executive Officer's Comments 11:04 A.M.

Acting Interim Executive Officer Jeff Palmer noted that the appeal hearing that took place during the June 13, 2025, FCGMA Board meeting will be brought back before the full Board at a future meeting, so that all 5 members are present for determination.

7. Board Member Comments 11:04 A.M.

No Board Member comments were made.

CONSENT AGENDA 11:05 A.M.

CONSENT AGENDA – FCGMA Items

8. FCGMA Financial Status Report for June 2025.

CONSENT AGENDA – LPV Watermaster Items

9. LPV Watermaster Financial Status Report for June 2025.

Motion: Director Trembley moved to adopt the Consent Agenda as presented. Director Craviotto seconded the motion. Chair West asked for a roll call vote at 11:05 A.M. The motion passed with all in favor.

REGULAR AGENDA – FCGMA 11:05 A.M.

10. Presentation on Agency's Administration of the $15.2 Million Department of Water Resources Sustainable Groundwater Management Grant Award

Agency Engineer Raya Nour presented on the administration and closeout of the $15.2 million DWR SGM Grant Program, which provided $7.6 million for the Oxnard Subbasin and $7.6 million for the Pleasant Valley Basin, including subgrantee funded projects.

At 11:13 A.M. Chair West asked for public comment. Public comment was given by:

Maryam Bral, Chief Engineer, United Water Conservation District.

Director Long noted that the Agency received an "A" performance rating for its administration of the grant award, which involved a significant amount of procedural work and collaboration. Director Maulhardt agreed and added that the projects funded by the grant award are critical for the Basins. He congratulated staff and subgrantees.

As the Item was informational and for discussion only, no formal Board action was taken.

11. Hearing and Report on Status of Agency Vacancies and Recruitment and Retention Efforts 11:18 P.M.

Agency Groundwater Manager Dr. Farai Kaseke presented the Item, providing an overview of the inaugural annual informational report on the status of the Agency's vacancies, recruitment, and retention efforts pursuant to Assembly Bill 2561, which was included in this meeting's Agenda.[1]

No public comment was given.

Motion: Director Trembley moved to receive and file the informational report. Director Long seconded the motion. Via roll call vote at 11:24 A.M, the motion passed unanimously.

12. Adopt the Fiscal Year 2025-2026 FCGMA Budget 11:24 A.M.

Agency Groundwater Manager Dr. Farai Kaseke presented the Item, providing an overview of proposed budget materials for Fiscal Year (FY) 2025-26, and introducing updated presentation structure of the budget's accounting elements per feedback from the Fiscal Committee as a result of their multiple review meetings workshopping draft

[1] See Item 11 attachments: https://ventura.primegov.com/portal/item?id=276779

materials with staff earlier in the calendar year. Dr. Kaseke noted that staff and the Fiscal Committee both recommend reducing the Groundwater Sustainability Fee from $29.00 to $24.00 per Acre Foot (AF) for Fiscal Year 2025-26 and Water Year 2025. He noted that the proposed Agency budget materials included this assumption, and stated that, should the Board approve, staff will bring a Resolution to this effect at a future meeting.

During Board discussion, Chair West thanked Agency staff and County of Ventura Public Works Agency Fiscal Services staff for their diligent work in restructuring the accounting in order to deduce that a reduction in the Groundwater Sustainability Fee could be proposed for this Fiscal Year. Director Trembley complimented the Agency and all staff for their work, especially on the Draft Proposed Budget Report, noting it is an excellent step forward in transparency.

Director Maulhardt disagreed with the assumption that replacing the reporting database is not a priority as presented in the proposed budget materials. He expressed his frustration, and frustration on behalf of his stakeholders, over the organization of the reporting database, noting that it is not functional, up to date, or easily accessible for stakeholders to access the information they need and report with minimal administrative burden. The user interface of the database and management system need to be upgraded to streamline both staff's work and stakeholder access and understanding. Director Maulhardt emphasized that database upgrades need to be prioritized, that stakeholder feedback needs to be solicited before significant developments are deployed, and that key stakeholders be involved with beta testing the upgraded database. He asked that this project be placed as the highest priority. Director Maulhardt suggested the Agency hire a full-time Chief Data Manager to address this problem.

Director Long noted that $200,000 is allocated as a line item for database upgrades in the existing proposed budget materials. Interim Executive Officer Jeff Palmer agreed that sound data is the foundation of the Agency and added that staff can reprioritize the project and reallocate funds as needed. Chair West noted that the Agency has reserve funds that can be reallocated for this purpose.

Director Craviotto agreed with Director Maulhardt that accessibility is important for stakeholders. He suggested the Agency implement Copilot, an Artificial Intelligence (AI) tool for general queries and for frequently asked questions (FAQs). Director Craviotto suggested feeding the chatbot general query information and implementing it on the public-facing informational website to help educate stakeholders. On the database side, Director Craviotto continued, the Agency currently allocates a significant amount to labor hours in the budget and currently approaches Semi-Annual Extraction Reporting (SAES) reporting as a people problem, whereas he feels that a lot of it could be automated in the future. He noted that overlap exists between the FCGMA statements and the Watermaster reporting.

Director Trembley suggested the Board approve and adopt the FY 2025-26 FCGMA Budget with the stipulation that the database and data management be treated as a Board priority; Director Trembley added that he would like the Executive Officer (who is joining

Agency in August) to return to the Board with specific recommendations and a timeline for implementing upgrades as needed, once the new Executive Officer (EO) is onboarded into his role with the Agency.

Motion: At 11:54 A.M. Director Trembley moved to (1) approve and adopt the FY 2025-26 FCGMA Budget, (2) that the Board direct as a high priority matter Agency staff to address the data issue in substantive part during the 2025-26 Fiscal Year, and (3) that the Executive Officer return to the Board within the 2025-26 Fiscal Year with a specific task report and timeline at a future meeting for accomplishing this priority effectively.

Motion discussion: Director Maulhardt suggested the initial report from the EO be delivered at the midyear point; Directors Trembley and Maulhardt both wished to allow the EO time to digest the Agency's needs and pain points. Director Trembley suggested giving the EO authority to set the timetable for the project and its presentations to the Board; Director Maulhardt wanted to ensure that the topic return to the Board and not fall through the cracks, which is why he'd like a specific time for a Board presentation noted for the record. Both Directors agreed that a presentation at the middle of the Fiscal Year, in tandem with the mid Fiscal Year financial review scheduled to occur in January or February on the Committee level, then February or March on the Board level, would be an opportune time for the EO to provide an initial presentation to the Board.

Director Long noted that reducing the Groundwater Sustainability Fee by $5/AF for the Fiscal Year / Water Year is a great step on the Agency's part; it is imperative that we do not charge pumpers for what we don't need. She thanked staff and stakeholders for working together regionally. She reminded staff that the Agency needs to collaborate further on grants in the future, especially offerings from the State with regards to our regional water source. Director Long agreed with the other Directors and their comments regarding priorities, and also asked that the Agency prioritize concerns that are raised by Department of Water Resources (DWR) in future reports and communications with regards new rules and regulations related to seawater intrusion and subsidence with regards to our groundwater sustainability plans and goals; she asked staff to especially keep an eye out for a DWR report on subsidence in the future.

At 12:01 P.M. Chair West asked for public comment on the motion as given. Public comment was given by:

Ian Prichard, Deputy General Manager, Calleguas Municipal Water District (CMWD), and

Reddy Pakala, Director, CMWD, and Alternate Director, FCGMA.

Mr. Prichard stated that this was the most transparent budget report he has seen from the Agency in almost 15 years, especially in making the operations and the fiscal goings-on more visible and accessible to the public. Alternate Director Pakala agreed that a lot of improvement has been made. He reminded the Board that customer service, technology issues, and lower rates are his priorities. He suggested projecting rates in the

future, which would be helpful to stakeholders who could then plan their own budgets with such information.

Motion: At 12:05 P.M. Director Trembley repeated the motion and added a fourth item: (4) the Board requests a specific presentation during the mid-Fiscal Year review at the Fiscal Committee then Board level. Director Maulhardt added a fifth item, (5) a new database with improved access design.

Restated: (1) Approve and adopt the FY 2025-26 FCGMA Budget[2], (2) that the Board direct, as a high priority matter, Agency staff to address the data issue in substantive part during the 2025-26 Fiscal Year, (3) that the Executive Officer return to the Board within the 2025-26 Fiscal Year with a specific task report and timeline at a future meeting for accomplishing this priority effectively, (4) the Board requests a specific presentation during the mid-Fiscal Year review at the Fiscal Committee level then Board level at the following meeting, and that (5) the result of this data management priority result in a new database with improved access design.

Action: Director Maulhardt seconded the motion on the table by Director Trembley. Via roll call vote at 12:06 P.M., all voted in favor, and the motion passed unanimously.

REGULAR AGENDA – LPV Watermaster 12:06 P.M.

13. Adopt Proposed Resolution No. 2025-04 Cancelling the Fourth Installment of the Las Posas Valley Watermaster Basin Assessment for Fiscal Year 2024-25, Water Year 2024

Agency Groundwater Manager Dr. Farai Kaseke presented the Item, providing an overview of Watermaster's collection of Basin Assessments for FY 2024-25, Water Year 2024, and Watermaster budgets, revenues, and cashflow; in conclusion, he stated that the Watermaster is currently in a good financial position to act as the Fiscal Committee recommended, to cancel the fourth quarterly installment of the Basin Assessment for WY 2024, FY 2024-25.

Chair West stated that this action seems like the fiscally responsible thing to do. Director Trembley agreed, especially for the ratepayers.

Motion: At 12:11 P.M. Director Trembley moved that the Board adopt Resolution No. 2025-04[3] cancelling the fourth installment of the Basin Assessment for WY

[2] https://fcgma.org/agency-budget-documents/
[3] https://s42135.pcdn.co/wp-content/uploads/2025/07/Resolution-2025-04.pdf

2024, FY 2024-25. Director Maulhardt seconded the motion. Via roll call vote, the motion passed unanimously.

14. Adopt the Fiscal Year 2025-26 Las Posas Valley Watermaster Budget; Adopt Resolution No. 2025-05 Approving a $60 Basin Assessment for Water Year 2025 12:12 P.M.

Agency Groundwater Manager Dr. Farai Kaseke presented the Item, providing a development overview and timeline, incorporating Committee Consultation, of the proposed Watermaster Budget materials and proposed Basin Assessment rate of $60 per acre foot, to be assessed quarterly for Fiscal Year 2025-26 at $15/AF. He noted that staff need to refine Calleguas Aquifer and Storage Recovery program (ASR) projections and said we will have more information on this line item once the Calleguas ASR Study Group begins its work and develops an understanding of its financial needs.

Chair West thanked staff and the PAC for their hard work on developing the Watermaster Budget. If the assessments once again outpace expenses at the end of the Fiscal Year, Chair West anticipates the Fiscal Committee will continue as in previous years their recommendation to cancel the 4th quarter Basin Assessment, or to levy it partially if at all. Director Craviotto noted that redundancies exist between Watermaster and FCGMA reporting, describing a very steady pace of statements issued to ratepayers: 4 Semi-Annual Extraction Statements (2 from FCGMA and 2 from Watermaster), and then 4 quarterly Basin Assessments; he noted that each one of these issuances provides an opportunity for missed response which means staff time in response and compliance reinforcement. He asked the PAC to reconsider the quarterly Basin Assessment schedule and suggested removing the 4th quarter Basin Assessment altogether if it made prudent financial sense. He reiterated his earlier statement regarding eliminating possible reporting redundancies and expressed support for marrying up the extraction reporting statements required by both FCGMA and LVP Watermaster.

Public comment was given by:

Reddy Pakala, Director, CMWD, and Alternate Director, FCGMA.

Motion 1: Director Craviotto moved to approve and adopt the proposed Watermaster Budget for FY 2025-26[4]. Director Trembley seconded the motion. Via roll call vote, the motion passed with all in favor at 12:24 P.M.

Motion 2: Director Craviotto moved to adopt proposed Resolution No. 2025-05[5] approving a Basin Assessment of $60 per acre-foot of Annual Allocation for Water Right Holders in the Las Posas Valley for Water Year 2025, to be

[4] https://fcgma.org/watermaster-budget-documents/
[5] https://s42135.pcdn.co/wp-content/uploads/2025/07/Resolution-2025-05.pdf

invoiced quarterly. Director Trembley seconded the motion. Via roll call vote, the motion passed with all in favor at 12:25 P.M.

CLOSED SESSION AGENDA 12:25 P.M.

Chair West asked for public comment regarding the matters agendized in closed session. Hearing none, Chair West recessed into closed session at 12:25 P.M.

15. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** City of Oxnard v. Fox Canyon Groundwater Management Agency, Los Angeles County Superior Court Case No. 20STCP00929

16. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** Las Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI0059700

17. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** OPV Coalition et al v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI00555357

18. **Adjournment**

Chair West adjourned the meeting from closed session.

Submitted by:

_____
Elka Weber
Clerk of the Board

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

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Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

MINUTES

Minutes of the Friday, August 22, hybrid special meeting of the Fox Canyon Groundwater Management Agency Board of Directors, also sitting as watermaster for the Las Posas Valley Basin and the groundwater sustainability agency for the Las Posas Valley Basin, the Pleasant Valley Basin, and the Oxnard Subbasin. The meeting occurred via Zoom and in-person in the Multi-Purpose Conference Room at the Ventura County Government Center, Hall of Administration, at 800 South Victoria Avenue, Ventura, California.

1. Call to Order 1:30 P.M.

Chair Eugene F. West called the meeting to order.

2. Pledge of Allegiance

Chair West led the Pledge of Allegiance.

3. Directors Present

Chair Eugene F. West
Director Kelly Long
Director Lynn Maulhardt
Director Michael Craviotto
Director Tony Trembley

Director Long joined the meeting after roll call was performed.

Agency Staff Present

John Demers, Executive Officer
Jason Canger, Agency Counsel
Jeff Palmer, Deputy Director, Ventura County Public Works Agency
Elka Weber, Clerk of the Board

4. Agenda Review 1:32 P.M.

No changes were made.

5. Public Comments 1:32 P.M.

Public comment was given by Mauricio Guardado, General Manager, United Water Conservation District, regarding the Agenda Item to be heard during today's closed session portion of the meeting.

6. Executive Officer's Comments 1:40 P.M.

Agency Executive Officer John Demers formally greeted the Board for the first time in his capacity as Executive Officer. He stated that he is preparing introductory remarks to present during the agenda for the upcoming regular Board meeting on August 27th.

7. Board Member Comments 1:40 P.M.

No comments were made.

CLOSED SESSION AGENDA 1:40 P.M.

Chair West asked for public comment regarding the matter agendized in closed session. No additional public comment was given. The Chair announced that the Board is likely to adjourn the meeting from closed session, but may return with action to report.

Chair West recessed the meeting into closed session at 1:40 P.M.

8. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE: OPV Coalition et al v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI00555357

9. Adjournment

Chair West adjourned the meeting from closed session.

Submitted by:

Elka Weber, Clerk of the Board

Item 14 - FCGMA FY 25-26 Financial Status Report: August
FCGMA Board Meeting, September 24, 2025

PREPARED BY: Daiva Pekinas

A	B	C	D	E	F	G	H
1	**FUND: O170 UNIT: 5795**	**DETAIL BY ACCOUNTING PERIOD**					
2	**FOX CANYON GROUNDWATER MANAGEMENT AGENCY**	**OBJ**	**PROGRAM**	**TOTAL**	**AP 01**	**AP 02**	**AP 03**
3	***Financial Status Report as of August 2025***				**July**	**August**	**September**
4	BEGINNING CASH BALANCE			10,774,951.83	10,774,951.83	10,425,342.28	10,115,128.69
5	**REVENUE:**						
6	PUMP CHARGES	9790	P6020901	(162,604.03)	(173,699.81)	11,095.78	
7	SURCHARGES	9790	P6020903	6,004.44	6,004.45	(0.01)	
8	INTEREST/ PENALTIES	9790	P6020904	21,026.28	4,318.83	16,707.45	
9	GEMES RESERVE FEE	9790	P6020907	36,617.55	34,326.70	2,290.85	
10	SUSTAINABILITY FEE	9790	P6020908	52,410.03	49,087.88	3,322.15	
11	FCGMA TECH SERVICES -GRANT	9708	P6020852	-	-	-	
12	INTEREST EARNINGS	8911	-	(105,316.26)	(145,562.29)	40,246.03	
13	OTHER REV	9790	-	-	-	-	
14	**TOTAL REVENUE**			**(151,861.99)**	**(225,524.24)**	**73,662.25**	**-**
15	**EXPENDITURES:**						
16	***SUPPORT***						
17	PUBLIC WORKS CHARGES	2205	-	310,885.80	113,748.03	197,137.77	
18	PUBLIC WORKS CHARGES-CSD ALLOCATION	2199	P6020850	60,950.00	-	60,950.00	
19	FCGMA ONLINE SUPPORT	2202	P6020850/70	7,231.02	-	7,231.02	
20	WPD-SCR - Santa Clara River Watershed Committee Contribution	2199	P6020850	-	-	-	
21	***GSA CHARGES***						
22	PURCHASING CHARGES ISF	2165	P6020850	-	-	-	
23	GRAPHICS CHARGES ISF	2166	P6020850	-	-	-	
24	GIS - ISF	2203	P6020850	-	-	-	
25	SPECIAL SERVCES ISF	2206	P6020850	-	-	-	
26	OTHER MAINTENANCE ISF	2116	P6020850	-	-	-	
27	VOICE DATA ISF	2032	P6020850	22.44	-	22.44	
28	MAIL CENTER ISF	2164	P6020850	-	-	-	
29	***CONTRACT***						
30	CONSULTANT CONTRACT (DUDEK) - Implementation	2183	P6020858	9,290.00	-	9,290.00	
31	CONSULTANT CONTRACT (DUDEK) - Annual reports	2183	P6020858	-	-	-	
32	***LEGAL***						
33	COUNTY COUNSEL	2185	P6020853	9,964.50	-	9,964.50	
34	COUNTY COUNSEL (GEMES) - LPV Basin Adjudication	2185	P6020864	-	-	-	

Item 14 - FCGMA FY 25-26 Financial Status Report: August
FCGMA Board Meeting, September 24, 2025

PREPARED BY: Daiva Pekinas

A	B	C	D	E	F	G	H
1	**FUND: O170 UNIT: 5795**	**DETAIL BY ACCOUNTING PERIOD**					
2	**FOX CANYON GROUNDWATER MANAGEMENT AGENCY**	**OBJ**	**PROGRAM**	**TOTAL**	**AP 01**	**AP 02**	**AP 03**
3	***Financial Status Report as of August 2025***				**July**	**August**	**September**
35	COUNTY COUNSEL (GEMES) - City of Oxnard v FCGMA	2185	P6020866	409.50	-	409.50	
36	COUNTY COUNSEL (GEMES) - OPV Coalition v FCGMA	2185	P6020867	6,006.00	-	6,006.00	
37	OTHER LEGAL FEES (Jarvis Fay)	2185	P6020850	-	-	-	
38	OTHER LEGAL FEES (Rutan & Tucker LLP)	2185	P6020853	-	-	-	
39	OTHER LEGAL FEES (Stoel)(GEMES) - LPV Adjudication	2185	P6020864	-	-	-	
40	OTHER LEGAL FEES (Stoel)(GEMES) - City of Oxn v FCGMA	2185	P6020866	81.83	-	81.83	
41	OTHER LEGAL FEES (Stoel)(GEMES) - OPV Coal. v FCGMA	2185	P6020867	0.00	-	-	
42	OTHER LEGAL FEES (Shute Mihaly)(GEMES) - OPV Coal. v FCGMA	2185	P6020867	53,485.51	-	53,485.51	
43	OTHER LEGAL FEES (Greines Martin Stein & Richland LLP)(GEMES) City of Oxnard v FCGMA	2185	P6020866	29,775.00	-	29,775.00	
44	***GRANT***						
45	KENNEDY JENKS	2199	P6020852	130.00	130.00	-	
46	***OTHER***						
47	BOARD MEMBERS INSURANCE	2072	P6020850	5,430.28	4,997.28	433.00	
48	BI-ANNUAL AUDIT	2199	P6020850	8,990.00	-	8,990.00	
49	LAFCO FUNDING	2159	P6020850	5,192.00	5,192.00	-	
50	PUBLIC NOTICE	2221	various	-	-	-	
51	CONFERENCES / SEMINARS	2273	P6020850	-	-	-	
52	ASSN OF WATER AGENCIES DUES	2159	P6020850	-	-	-	
53	HYDROLOGY SUPPLIES	2103	P6020852	-	-	-	
54	SOFTWARE SUBSCRIPTIONS NON ISF (ZOOM)	2236	P6020850	99.27	-	99.27	
55	MISC OFFICE EXPENSE	2159/69/79	P6020850	18.00	18.00	-	
56	**TOTAL EXPENDITURES**			**507,961.15**	**124,085.31**	**383,875.84**	**-**
57	**NET MONTHLY INCOME**				(349,609.55)	(310,213.59)	**-**
58	**ENDING CASH BALANCE**			**10,115,128.69**	**10,425,342.28**	**10,115,128.69**	**-**
59	**NOTES:**						
	The new Fiscal Year (2025-2026) began in July. Revenue recorded in July and August includes FY2024-25 accrual reversals, SAES 2025-1 payments, and past-due statements from prior years. Interest earnings allocations were also received from the County Pooled Investment fund.						
	July expenses are not fully represented, as the month focused on year-end processing for Fiscal Year 2025. Invoices received by the required cutoff date were recorded in the prior Fiscal Year. Notable August expenses include the PWA CSD quarterly allocation for IT and Fiscal services and the renewal of the insurance policy with Glatfelter Public Entities.						
	The final billing is still pending for Rogers Anderson Malody & Scott, for the FCGMA Biannual Audit, which was completed in August.						

Item 15 - Watermaster FY 25-26 Financial Status Report: August
FCGMA Board Meeting, September 24, 2025

Prepared by Daiva Pekinas

A	B	C	D	E	F	G	H
1	**FUND: O171 UNIT: 5796**	**DETAIL BY ACCOUNTING PERIOD**					
2	**LPV WATERMASTER**	**OBJ**	**PROG**	**TOTAL**	**AP 01**	**AP 02**	**AP 03**
3	***Financial Status Report as of August 2025***				**July**	**August**	**September**
4	BEGINNING CASH BALANCE			**1,265,314.36**	1,265,314.36	1,186,052.32	961,109.41
5	**REVENUE:**						
6	BASIN ASSESSMENT FEE	9790	P6020670	(27,721.58)	(30,504.01)	2,782.43	
7	BASIN ASSESSMENT INTEREST	9790	P6020671	553.47	275.23	278.24	
8	INTEREST EARNINGS	8911	-	(16,707.44)	(25,765.00)	9,057.56	
9	**TOTAL REVENUE**			**(43,875.55)**	**(55,993.78)**	**12,118.23**	**-**
10	**EXPENDITURES:**						
11	***SUPPORT***						
12	PUBLIC WORKS ISF CHARGES - LPV WATERMASTER ADMINISTRATION	2205	P6020660	12,302.06	3,838.18	8,463.88	
13	PUBLIC WORKS ISF CHARGES - LPV ALLOCATIONS & RECORD KEEPING	2205	P6020661	7,161.51	2,848.08	4,313.43	
14	PUBLIC WORKS ISF CHARGES - LPV BASIN MANAGEMENT	2205	P6020662	9,442.47	1,033.04	8,409.43	
15	PUBLIC WORKS ISF CHARGES - LPV COMMITTEE COORDINATION & CONSULT	2205	P6020663	5,432.86	2,522.95	2,909.91	
16	PUBLIC WORKS ISF CHARGES - LPV BUDGET & ASSESSMENTS	2205	P6020664	2,874.34	1,972.41	901.93	
17	PUBLIC WORKS ISF CHARGES - LPV LEGAL SERVICES	2205	P6020666	952.07	408.82	543.25	
18	PUBLIC WORKS ISF CHARGES - LPV IT SERVICE & SUPPORT	2205	P6020667	1,726.20	282.29	1,443.91	
19	PUBLIC WORKS CHARGES - LPV IT SERVICE & SUPPORT (CSD IT)	2199	P6020667	43,700.00	-	43,700.00	
20	PUBLIC WORKS CHARGES - FISCAL SUPPORT (CSD FISCAL)	2199	P6020664	6,225.00	-	6,225.00	
21	LPV CALLEGUAS ASR PROJECT OPERATIONS STUDY	2205	P6020665	-	-	0.00	
22	***LEGAL***						
23	LPV LEGAL SERVICES - COUNTY COUNSEL	2185	P6020666	13,513.50	-	13,513.50	
24	LPV LEGAL SERVICES - STOEL RIVES	2185	P6020666	42,522.65	-	42,522.65	
25	***CONTRACTS***						
26	RGS AUTHORITY	2199	P6020661	10,362.49	10,362.49	-	
27	TODD GROUNDWATER-TAC	2199	P6020663	6,972.50	-	6,972.50	
28	AQUILOGIC-TAC	2199	P6020663	1,520.00	-	1,520.00	
29	DANIEL B STEPHENS & ASSOCIATES - TAC	2199	P6020663	1,347.25	-	1,347.25	
30	DANIEL B STEPHENS & ASSOCIATES - PAC	2199	P6020663	317.00	-	317.00	
31	DUDEK (GSP Update Task 10.2.1 - Committee Rev & Resp, Periodic Evaluation)	2183	P6020662	-	-	-	
32	DUDEK (Initial Basin Optimization Plan - Tasks 12.5 - 12.7)	2183	P6020662	442.50	-	442.50	
33	DUDEK (2025 Basin Optimization Yield Study)		P6020662	80,135.00	-	80,135.00	
34	DUDEK (Task 13 - Technical Advisory Committee Watermaster Support Services)	2183	P6020663	13,380.00	-	13,380.00	

Item 15 - Watermaster FY 25-26 Financial Status Report: August
FCGMA Board Meeting, September 24, 2025

Prepared by Daiva Pekinas

A	B	C	D	E	F	G	H
1	**FUND: O171 UNIT: 5796**	**DETAIL BY ACCOUNTING PERIOD**					
2	**LPV WATERMASTER**	**OBJ**	**PROG**	**TOTAL**	**AP 01**	**AP 02**	**AP 03**
3	***Financial Status Report as of August 2025***				**July**	**August**	**September**
35	***OTHER***						
36	AUDIT - BROWN ARMSTRONG ACCOUNTANCY CORP	2199	P6020664	-	-	-	
37	**TOTAL EXPENDITURES**			**260,329.40**	**23,268.26**	**237,061.14**	**-**
38	**NET MONTHLY INCOME**				(79,262.04)	(224,942.91)	
39	**ENDING CASH BALANCE**			**961,109.41**	**1,186,052.32**	**961,109.41**	**-**
40	**NOTES:**						
	The new Fiscal Year (2025-2026) began in July. Revenue recorded in July and August includes FY2024-25 accrual reversals and payments for past-due installments of the Basin Assessment, as the cancellation of the 4th Installment has been approved by the Board. In addition, interest earnings allocations were received from the County Pooled Investment fund.						
	July expenses are not fully represented, as the month focused on year-end processing for Fiscal Year 2025. Invoices received by the required cutoff date were recorded in the prior Fiscal Year. Notable August expenses include the PWA CSD $43,700 quarterly allocation for IT and $6,225 for Fiscal Services. Dudek continues contractual support and billing for Basin Optimization Yield Study services.						

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A State of California Water Agency

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *City Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

September 24, 2025

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

SUBJECT: Appointment of Ventura County Waterworks Districts Nos. 1 & 19 Representative, Mr. Paul Chan, to the Las Posas Valley Basin Policy Advisory Committee [LPV Watermaster] – *(New Item)*

RECOMMENDATION: Appoint Mr. Paul Chan to serve as the Ventura County Waterworks Districts 1 &19 (WMIDs 2011, 2191 and 2192) Representative to the Las Posas Valley Watermaster Policy Advisory Committee.

INTRODUCTION:
The Policy Advisory Committee (PAC) is an 11-member advisory body to the Las Posas Valley Basin Watermaster (LPV Watermaster) on policy-related matters of a non-technical nature. The PAC includes: 5 Basin-wide representatives (Zone Mutual Water Company, Ventura County Waterworks Districts Nos. 1 & 19, Calleguas Mutual Water District, a Commercial and Watermaster Representative (*non-voting*)) and 6 representatives for the East and West Management Areas (Large Agriculture, Small Agriculture and Mutual Water Companies) (Judgment, § 6.10.2.).

Each member of the PAC will serve until that member resigns or is replaced pursuant to Section 6.10.2 of the Judgment and in the event of a vacancy, the applicable Landowner Constituency Group shall hold a vote to nominate a replacement pursuant to the procedure for initial selection set forth in the Judgment. However, Basin-wide and Watermaster representatives may select their respective PAC members pursuant to their own internal governance process. (Exhibit A, § 3.1.6).

DISCUSSION:
Ventura County Waterworks Districts Nos. 1 & 19 (WWD) notified Watermaster of a replacement nominee to the PAC, Mr. Paul Chan, pursuant to the WWD's internal governance process, in a letter dated August 28, 2025 (attached as Exhibit 16A). Pursuant to the Judgment, Watermaster shall appoint or decline to appoint a nominee within 60 days of the nomination and shall only decline to appoint a nominee for cause. (Judgment, § 6.10.2.).

CONCLUSION:
Staff recommends that your Board appoint the nominee, Mr. Paul Chan, to the Las Posas Valley Policy Advisory Committee as the Ventura County Waterworks Districts 1 & 19 Representative.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-2954.

Sincerely,

Kaseke

Kudzai Farai Kaseke (PhD, PH, PMP, CSM)
Assistant Groundwater Manager

Attachment:

Exhibit 16A – Correspondence from Ventura County Waterworks Districts 1 and 19 to Watermaster, dated August 28, 2025

PUBLIC WORKS
VENTURA COUNTY

COUNTY of VENTURA

Gregg Strakaluse
Agency Director

Jeff Palmer
Assistant Director

Central Services
Joan Araujo, Director

Engineering Services
Anastasia Seims, Director

Roads & Transportation
Anitha Balan, Director

Water & Sanitation
Paul Chan, Director

Watershed Protection
Earthea Nance, Director

August 28, 2025

Gene West, Chair
Fox Canyon Groundwater Management Agency/Las Posas Basin Watermaster
800 S. Victoria Ave.
Ventura, CA 93009

RE: Ventura County Water Works Districts Nos. 1 and 19 Las Posas Valley Policy Advisory Committee Membership Replacement.

Chair West:

The Ventura County Water Works Districts Nos. 1 and 19 is party to the Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency, Santa Barbara Sup. Ct. Case No. VENC 100509700 (Judgment) and is assigned a seat on the Policy Advisory Committee (PAC). In accordance with the provisions of the Judgment, Ventura County Water Works Districts Nos. 1 and 19 nominate Paul Chan as the replacement nominee for the Ventura County Water Works Districts Nos. 1 and 19 on the PAC. (Judgment, Exh. A, § 3.1.6.)

Ventura County Water Works Districts Nos. 1 and 19 look forward to your approval for appointment of this nomination consistent with section 6.10.2. of the Judgment.

Thank you for your consideration,

Gregg Strakaluse, P.E.
Director

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

September 24, 2025

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Approval of and Authorization for the Executive Officer to Enter Into a Professional Services Contract with Robert Abrams (PhD, PG, CHG) of Aquilogic, Inc. to Serve as the Landowner Representative to the Calleguas Municipal Water District Aquifer Storage and Recovery Project Study Group [LPV Watermaster] – *(Returning Item)*

RECOMMENDATION: Approve and authorize the Executive Officer to enter into a professional services contract with Robert Abrams (PhD, PG, CHG) of Aquilogic, Inc., for a two-year term with a "not to exceed" limit of $25,000 per year, to serve as the Landowner Representative to the Calleguas Municipal Water District (Calleguas) Aquifer Storage and Recovery Project Study Group (ASR Study Group).

BACKGROUND:
The judgment entered in *Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency*, Santa Barbara Sup. Ct. Case No. VENC100509700 (Judgment) requires the formation of the ASR Study Group to develop recommendations on four operating scenarios for inclusion in a Calleguas ASR Project Operations Plan. (Judgment, § 8.4.) Unlike rights for agricultural, municipal and industrial, and domestic use, the Judgment did not determine Calleguas' rights to store and extract imported water from the Las Posas Valley Basin (Basin). The ASR Study Group's recommendations, and ultimately the Calleguas ASR Project Operations Plan submitted to and approved by the court (not your Board), will inform the scope and conditions applicable to Calleguas' rights to store imported water in, and extract imported water from, the Las Posas Valley Basin (Basin) and thus operate its ASR Project.

The Judgment specifies the membership and qualifications of participants to the Calleguas ASR Study Group:

> The Calleguas ASR Study Group shall consist of representatives, who shall be either licensed engineers with relevant Groundwater experience or certified hydrologists or similarly qualified, of the FCGMA, Calleguas, and

> the Landowners. It is anticipated the representatives will include equal representation of the overlying landowners and Calleguas, and a Watermaster representative. (Judgment, § 8.4.1.)

In their July 17, 2025, recommendation report, attached as Exhibit 17A, the Las Posas Valley Policy Advisory Committee (PAC) recommended that Watermaster "[f]und the Landowners' representative of the Calleguas ASR Study Group, Bob Abrams, through the Basin Assessment."

DISCUSSION:
On July 23, 2025, staff provisionally allocated $25,000 worth of funding for a Landowner Representative on the ASR Study Group in the FY 2025-26 Watermaster Budget. This allocation was based on recommendations from the PAC and FCGMA Fiscal Committee. On August 27, 2025, your Board directed staff to prepare and execute a contract with the Landowner Representative on the Calleguas ASR Study Group. Included as Item 17B is a Standard Form Contract and Billing Rates for Robert Abrams (PhD, PG, CHG), of Aquilogic, for a two-year term. Robert Abrams is currently contracted with the Watermaster as a voting member on the Las Posas Valley Technical Advisory Committee, and this contract retains the same billing rates. As proposed in the FY 2025-26 Watermaster Budget, this contract would be paid with Basin Assessments collected from Water Rights Holders annually.

CONCLUSION:
Staff recommends that your Board approve and authorize the Executive Officer to enter into a professional services contract with Robert Abrams (PhD, PG, CHG) of Aquilogic, Inc., for a two-year term with a "not to exceed" limit of $25,000 per year, to serve as the Landowner Representative to the ASR Study Group.

This letter has been reviewed by Agency Counsel. If you have any questions, please contact me at (805) 654 2954.

Sincerely,

Kaseke

Kudzai Farai Kaseke (PhD, PH, PMP, CSM)
Assistant Groundwater Manager

Attachments: Item 17A – PAC Recommendation Report, dated July 17, 2025
Item 17B – Draft Contract and Billing Rates

TO: Las Posas Valley Watermaster

FROM: Las Posas Valley Watermaster Policy Advisory Committee

RE: Recommendation Report – Calleguas ASR Study Group Landowner Representative Funding

DATE: July 17, 2025

The Las Posas Valley Watermaster Policy Advisory Committee (PAC) provides this Recommendation Report on Committee Attendance.

Recommendation:
Fund the Landowners' representative on the Calleguas ASR Study Group, Bob Abrams, through the Basin Assessment.

Policy Rationale for Recommendation:
The Basin Assessment provides the simplest way to collect funds from Landowners in the Las Posas Valley. Given the breakdown of ASR Study Group participants described by Section 8.4.1 of the Judgment (Landowners, FCGMA, and Calleguas), the Landowner participant would represent all constituent groups paying a Basin Assessment (neither the FCGMA nor Calleguas pay a Basin Assessment). As such, the Basin Assessment is the logical mechanism by which to collect funds and the PAC, representing as it does all constituent groups covered under the Landowner participant as defined in Section 8.4.1 of the Judgment, is the logical body to recommend this mechanism.

The PAC anticipates the cost of the Landowner representative's participation shouldn't exceed $25,000 and requests that this cost be included as a separate line item in the Watermaster budget and monthly reports.

Summary of Facts in Support of Recommendation:
See Sections 8.4, 8.4.1, and 8.4.7 of the Judgment.

Tally of Committee Member Votes: [see next page]

	YES	NO	ABSTAIN	ABSENT
Ian Prichard, Calleguas MWD	X			
Jeff Palmer, VC WWD No. 1 & 19				X
John Menne, Zone MWC	X			
Rob Grether, West LPV Large Ag	X			
David Schwabauer, East LPV Large Ag	X			
Josh Waters, East LPV Small Ag				X
Richard Cavaletto, West LPV Small Ag	X			
Laurel Servin, East LPV MWC	X			
Steven Murata, West LPV MWC				X
Arturo Aseo, Commercial	X			

Report of Bases for Majority and Minority Committee Member Positions:

The Majority concurred that funding the Landowner representative on the Calleguas ASR Study Group through the Basin Assessment is logical and simple.

PROFESSIONAL SERVICES CONTRACT
with Aquilogic, Inc.

***Las Posas Valley Watermaster*: ASR Study Group Landowner Representative Services**

This CONTRACT is made and entered into as of the 1st day of May, 2024, by and between the Fox Canyon Groundwater Management Agency, acting as the watermaster for the Las Posas Valley Groundwater Basin (AGENCY), and Aquilogic, Inc. (CONSULTANT), regarding CONSULTANT's performance of the work and services described in Exhibit A (the "Work"), attached hereto. Hereinafter, AGENCY and CONSULTANT may be referred to individually as a PARTY or collectively as the PARTIES.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the PARTIES agree as follows:

1. Scope of Work; Standard of Performance

AGENCY hereby retains CONSULTANT to perform the Work described in Exhibit A, attached hereto. The Work shall be performed in accordance with the terms and conditions of this CONTRACT (including all exhibits hereto). In performing the Work, CONSULTANT shall exercise the degree of skill and care customarily exercised by professionals in the State of California when providing similar services with respect to similarly complex work and projects.

2. Schedule

All Work and any portion thereof separately identified shall be completed within any applicable time schedule provided in Exhibit A. AGENCY may suspend a time schedule if CONSULTANT is delayed by a public agency reviewing documents produced by CONSULTANT pursuant this CONTRACT or solely due to acts or omissions of AGENCY, provided CONSULTANT promptly notifies AGENCY in writing of any such delay.

3. Compensation, Invoicing, and Payment

A. Compensation, invoicing, and payment for CONSULTANT's performance and provision of the Work shall be made in accordance with Exhibit B, attached hereto.

B. Notwithstanding anything in this CONTRACT to the contrary, the total sum of all payments made by AGENCY to CONSULTANT for the performance or provision of the Work pursuant to this CONTRACT shall not exceed the "Not To Exceed Limit" specified in Exhibit B, attached hereto. AGENCY expressly reserves the right to deny any payment or reimbursement requested by CONSULTANT in excess of the Not To Exceed Limit.

4. Term; Termination

A. The term of this CONTRACT shall be from May 1, 2024, to April 30, 2026, unless sooner terminated as provided in this CONTRACT. Notwithstanding anything herein to the contrary, this CONTRACT shall terminate immediately if CONSULTANT is removed from the Las Posas Valley Watermaster Technical Advisory Committee pursuant to the judgment in *Las Posas Valley Water Rights Coalition et al. v Fox Canyon Groundwater Management Agency et al*, Santa Barbara County Superior Court Case No. VENCI00509700 (LPV ADJUDICATION).

B. Upon receiving any notice of termination from AGENCY, CONSULTANT shall stop performing and providing all Work and cooperate with AGENCY to close out CONSULTANT's obligations under this CONTRACT. AGENCY shall pay CONSULTANT for all Work satisfactorily performed prior to

CONSULTANT receiving notice of termination; provided, however, that such payments shall not exceed the "Not To Exceed Limit" specified in Exhibit B for completion of any separately identified task or phase of the Work which, at the time AGENCY received notice of termination, has been started by request of AGENCY.

5. Right to Review

AGENCY shall have the right to review the Work at any time during AGENCY's usual working hours. Review, checking, approval, or other action by the AGENCY shall not relieve CONSULTANT of CONSULTANT's responsibility for the accuracy and completeness of the Work.

6. Work Product

On completion or any termination of this CONTRACT, AGENCY shall be entitled to immediate possession of, and CONSULTANT shall promptly furnish, on request, all reports, drawings, designs, computations, plans, specifications, correspondence, data and other work product prepared or gathered by CONSULTANT arising out of or related to the Work (collectively, "Work Product"). AGENCY has a royalty-free nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and authorize others to use, Work Product for government purposes. CONSULTANT may retain copies of the Work Product for its files. Work Product prepared by CONSULTANT pursuant to this CONTRACT shall not be modified by AGENCY unless CONSULTANT's name, signatures, and professional seals are completely deleted. CONSULTANT shall not be responsible for any liabilities to AGENCY for the use of such Work Product that is modified by persons other than CONSULTANT.

7. Subconsulting

With the prior written consent of AGENCY, CONSULTANT may engage the professional services of subconsultants for the performance of a portion of the Work ("Subconsultants"). CONSULTANT shall be fully responsible for all Work performed by Subconsultants which shall be performed in accordance with all terms and conditions of this CONTRACT. All insurance requirements set forth in Section 11 below, "Insurance Requirements," shall apply to each Subconsultant, except to the extent such requirements are modified or waived inf writing by AGENCY. CONSULTANT shall ensure that each Subconsultant obtains and keeps in force and effect during the term of this CONTRACT the required insurance.

8. Independent Contractor

A. No Employment Relationship. CONSULTANT is an independent contractor, and no relationship of employer and employee is created by this CONTRACT. Neither CONSULTANT nor any of the persons performing services for CONSULTANT pursuant to this CONTRACT, whether said person be a principal, member, partner, officer, employee, agent, volunteer, associate, Subconsultant, or otherwise of CONSULTANT, will have any claim under this CONTRACT or otherwise against AGENCY for any salary, wages, sick leave, vacation pay, retirement, social security, workers' compensation, disability, unemployment insurance, federal, state or local taxes, or other compensation, benefits or taxes of any kind. AGENCY is not required to make any deductions from the compensation payable to CONSULTANT under the provisions of this CONTRACT. CONSULTANT shall be solely responsible for self-employment Social Security taxes, income taxes and any other taxes levied against self-employed persons. CONSULTANT does not assign such obligation to AGENCY for collection or administration except as may be required by federal and state law.

B. No AGENCY Control of Means and Methods of Performance. Except as otherwise provided in this CONTRACT, AGENCY will have no control over the means or methods by which CONSULTANT will perform services under this CONTRACT, provided, however, that CONSULTANT will

perform the Work and related services hereunder and function at all times in accordance with approved methods of practice in the professional specialty of CONSULTANT.

C. Third Parties Employed by CONSULTANT. If, in the performance of this CONTRACT, any third parties (including, without limitation, Subconsultants) are employed by CONSULTANT, such third parties will be entirely and exclusively under the direction, supervision, and control of CONSULTANT. All terms of employment, including hours, wages, working conditions, discipline, hiring and discharging, and other applicable requirements of law will be the responsibility of and determined by CONSULTANT, and AGENCY will have no right or authority over such third parties or the terms of such employment, except as may be provided in this CONTRACT.

D. Compliance with Workers' Compensation Laws. CONSULTANT will comply with all applicable provisions of the Workers Compensation Insurance and Safety Act of the State of California (codified as amended commencing at Labor Code section 3200), including, without limitation, divisions 4 and 5 of the California Labor Code, and all amendments thereto, and all applicable similar state and federal acts or laws, and will indemnify and hold harmless AGENCY and the County of Ventura from and against all Third-Party Claims (defined in Section 10 hereof) presented, brought, or recovered against AGENCY or the County of Ventura, for or on account of any liability under any of said laws which may be incurred by reason of any services to be performed under this CONTRACT.

E. Indemnity for Claims of Employer-Employee Relationship. Notwithstanding anything herein to the contrary, CONSULTANT agrees to defend (with counsel acceptable to AGENCY), indemnify, and hold harmless AGENCY and the County of Ventura and their respective boards, agencies, departments, officers, employees, agents and volunteers from and against any and all Third-Party Claims (defined in Section 10 hereof) made against AGENCY and the County of Ventura based upon any contention by any third-party that an employer-employee relationship exists by reason of this CONTRACT. CONSULTANT further agrees to hold AGENCY and the County of Ventura harmless from and to compensate AGENCY and the County of Ventura for any Third-Party Claims against AGENCY or the County of Ventura for payment of state or federal income or other tax obligations relating to CONSULTANT's compensation under the terms of this CONTRACT. CONSULTANT will not settle or otherwise compromise a Third-Party Claim covered by this Section 8(E) without AGENCY's advance written approval. This Section 8(E) does not apply to any penalty imposed by any governmental agency that is not caused by or the fault of CONSULTANT.

9. Conflicts of Interest

A. During the term of this CONTRACT, CONSULTANT shall not have or obtain economic interests, or participate in activities, that conflict with AGENCY's interests with respect to this CONTRACT and the Work. CONSULTANT shall take reasonable measures to ensure that CONSULTANT and its principals, officers, employees, agents, and Subconsultants do not possess or obtain a financial conflict of interest, and do not participate in activities that conflict with the AGENCY's interests, with respect to this CONTRACT and the Work. CONSULTANT shall promptly inform AGENCY of any matter that could reasonably be interpreted as creating a conflict of interest for CONSULTANT with respect to this CONTRACT or the Work. This Section 9(A) is not intended to modify the standard of performance as set forth in this CONTRACT.

B. CONSULTANT acknowledges that the California Political Reform Act ("Act"), Government Code section 81000 et seq., provides that principals, officers, employees and agents of consultants retained by a public agency may be deemed "public officials" subject to the Act if they make or advise AGENCY on decisions or actions to be taken by AGENCY. To the extent AGENCY determines that the Act applies to CONSULTANT or its principals, officers, employees or agents, each designated person shall abide by the Act, including the requirement for public officials to prepare and file statements

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disclosing specified economic interests, as directed by AGENCY. In addition, CONSULTANT acknowledges and shall abide by the contractual conflict of interest restrictions imposed on public officials by Government Code section 1090 et seq.

C. During the term of this CONTRACT, CONSULTANT shall not employ or compensate AGENCY's current employees.

10. Defense and Indemnification

A. CONSULTANT shall defend (with attorneys acceptable to AGENCY), indemnify, and hold harmless AGENCY and the County of Ventura, their respective boards, agencies, departments, officers, employees, agents and volunteers (each an "Indemnitee") from and against any and all third-party claims, lawsuits, judgments, debts, demands, and liability (including attorney fees and costs) (collectively, "Third-Party Claims"), including, without limitation, those arising from injuries or death of persons and/or damage to property, to the extent arising directly or indirectly: (i) out of, resulting from, or in connection with, any act or omission of CONSULTANT or CONSULTANT's officers, directors, employees, agents, representatives, Subconsultants, and anyone directly or indirectly employed by them (each a "CONSULTANT AGENT") made in connection with CONSULTANT'S performance of this CONTRACT; or (ii) the negligence, willful misconduct, or breach of this agreement by CONSULTANT or a CONSULTANT AGENT. Notwithstanding the foregoing, CONSULTANT's obligation to defend, indemnify, and hold harmless under this Section 10 shall not extend to Third Pary Claims resulting from the negligence or willful misconduct of the applicable Indemnitee, as finally determined pursuant to a non-appealable judgment of a court of competent jurisdiction or, if applicable, a final ruling under an arbitration proceeding. CONSULTANT shall not settle or otherwise compromise a Third-Party Claim covered by this Section 10 without AGENCY's advance written approval.

B. CONSULTANT's obligation to defend, indemnify, and hold Indemnitees harmless under this Section 11 is not limited to, or restricted by, any requirement in this CONTRACT for CONSULTANT to procure and maintain a policy of insurance and shall survive any termination or expiration of this CONTRACT.

C. This Section 10 shall control and govern the PARTIES' obligations over any contrary provision or language in the Exhibits, including any fee schedules attached thereto.

11. Insurance Requirements

A. Without limiting CONSULTANT's duty to defend and indemnify AGENCY as required herein, CONSULTANT shall, at CONSULTANT's sole cost and expense and throughout the term of this CONTRACT and any extensions hereof, carry one or more insurance policies that provide at least the following minimum coverage:

i. Commercial general liability insurance shall provide a minimum of $1,000,000.00 coverage for each occurrence and $2,000,000.00 in general aggregate coverage.

ii. Automobile liability insurance shall provide a minimum of either a combined single limit (CSL) of $1,000,000.00 for each accident or all of the following: $250,000.00 bodily injury (BI) per person, and $500,000.00 bodily injury per accident, and $100,000.00 property damage (PD). Automobile liability insurance is not required if CONSULTANT does no traveling in performing the Work.

iii. Workers' compensation insurance in full compliance with California statutory requirements for all employees of CONSULTANT in the minimum amount of $1,000,000.00. This

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workers' compensation insurance requirement may only be waived by AGENCY in writing if CONSULTANT is a sole proprietor with no employees and CONSULTANT provides AGENCY with evidence of such before commencing any work under the CONTRACT.

iv. Professional liability (errors and omissions) insurance shall provide a minimum of $1,000,000.00 coverage per claim and $2,000,000.00 in annual aggregate coverage.

B. If CONSULTANT maintains higher limits than the minimums shown above, AGENCY requires and shall be entitled to coverage for the higher limits maintained by CONSULTANT. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to AGENCY.

C. With respect to any coverage written on a "claims made" basis, CONSULTANT shall, for three years after the date when this CONTRACT is terminated or completed, maintain such policy with a retroactive date that is on or before the start date of contract services or purchase an extended reporting period endorsement (tail coverage). AGENCY may withhold final payments due until satisfactory evidence of the continued maintenance of such policy or the tail coverage is provided by CONSULTANT to AGENCY. Such policy shall allow for reporting of circumstances or incidents that may give rise to future claims.

D. CONSULTANT shall notify AGENCY immediately if CONSULTANT's general aggregate of insurance is exceeded by valid litigated claims in which case additional levels of insurance must be obtained to maintain the above-stated requirements. All required insurance shall be written by a financially responsible company or companies authorized to do business in the State of California. CONSULTANT shall notify AGENCY of any and all policy cancellations within three working days of the cancellation.

E. The commercial general liability policy shall name "Fox Canyon Groundwater Management Agency" and the "County of Ventura" as additional insureds ("Additional Insureds"). All required insurance shall be primary coverage as respects the Additional Insureds, and any insurance or self-insurance maintained by Additional Insureds shall be in excess of CONSULTANT's insurance coverage and shall not contribute to it. Coverage shall apply separately to each insured, except with respect to the limits of liability, and an act or omission by one of the named insureds shall not reduce or avoid coverage to the other named insureds. Additional Insured coverage shall include both ongoing and completed operations. In the case of policy cancellation, AGENCY shall be notified by the insurance company or companies as provided for in the policy.

F. CONSULTANT hereby waives all rights of subrogation against AGENCY, the County of Ventura, all special districts governed by the Ventura County Board of Supervisors, and each of their boards, directors, employees, agents, and representatives for losses arising directly or indirectly from the activities or Work under this CONTRACT. The commercial general liability, automobile liability, and workers' compensation policies shall contain a provision or endorsement needed to implement CONSULTANT's waiver of these rights of subrogation.

G. Prior to commencement of the Work, CONSULTANT shall furnish AGENCY with certificates of insurance and endorsements effecting all coverage required hereunder. Copies of renewal certificates and endorsements shall be furnished to AGENCY within 30 days of the expiration of the term of any required policy. CONSULTANT shall permit AGENCY at all reasonable times to inspect any policies of insurance required hereunder.

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H. Each insurance policy required above shall state that coverage shall not be canceled except with notice to AGENCY.

12. Claims and Disputes

A. Administrative Review. Prior to filing a complaint in arbitration against AGENCY seeking payment of money or damages regarding the Work, an extension of contract time, or an interpretation or adjustment of the terms of this CONTRACT, including "pass-through" claims asserted by CONSULTANT on behalf of a Subconsultant (collectively referred to hereinafter as "claim"), CONSULTANT shall first exhaust its administrative remedies by attempting to resolve the claim with AGENCY's staff. CONSULTANT shall initiate the administrative review process no later than 60 calendar days after the claim has arisen by submitting to the 'AGENCY'S project manager a written statement describing each claim and explaining why CONSULTANT believes AGENCY is at fault, as well as all correspondence and evidence regarding each claim. CONSULTANT may appeal the decision made by the AGENCY's project manager to the AGENCY's executive officer, provided that AGENCY receives such appeal in writing no later than 30 calendar days after the date of the decision being appealed. If CONSULTANT does not appeal a decision to the next level of administrative review within this 30 calendar day period, the decision shall become final and binding and not subject to appeal or challenge.

B. Arbitration. All CONSULTANT claims not resolved through the administrative review process stated above shall be resolved by arbitration unless AGENCY and CONSULTANT agree in writing, after the claim has arisen, to waive arbitration and to have the dispute litigated in a court of competent jurisdiction. Arbitration shall be pursuant to article 7.1 (commencing with section 10240) of chapter 1 of part 2 of the Public Contract Code and the regulations promulgated thereto, chapter 4 (commencing with section 1300) of division 2 of title 1 of the California Code of Regulations (collectively, "Rules for Public Works Contract Arbitrations"). Arbitration shall be initiated by a complaint in arbitration prepared, filed and served in full compliance with all requirements of the Rules for Public Works Contract Arbitrations. CONSULTANT consents and agrees that AGENCY may join it as a party to any arbitration involving third-party claims asserted against AGENCY and the County of Ventura arising from or relating to any Work performed by CONSULTANT hereunder.

13. Compliance with Laws and Regulations; Permits and Licenses

CONSULTANT shall perform its obligations hereunder in compliance with all applicable federal, state, and local laws and regulations. CONSULTANT certifies that it possesses and shall continue to maintain or shall cause to be obtained and maintained, at no cost to AGENCY, all approvals, permissions, permits, licenses, and other forms of documentation required for it and its principals, officers, employees, agents and Subconsultants to comply with all applicable statutes, ordinances, regulations, and/or other laws, that apply to performance of this CONTRACT and the Work. AGENCY is entitled to review and copy all such applications, permits, and licenses which CONSULTANT shall promptly make available upon AGENCY's request.

14. Miscellaneous

A. Exhibits. The following exhibits are attached to, incorporated into, and a part of this CONTRACT:

- Exhibit A (Scope of Work)
- Exhibit B (Compensation, Invoicing and Payment)
- Exhibit B-1 (Consultant's Schedule of Fees)

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In the event of a conflict between the terms of this CONTRACT and any exhibits, the terms of this CONTRACT shall govern unless otherwise expressly provided or complying with the CONTRACT would frustrate the purpose of the CONTRACT.

B. Entire Understanding. This CONTRACT is an integrated agreement and constitutes the final expression, and the complete and exclusive statement of the terms of, the PARTIES' agreement with respect to the subject matter hereof, including but not limited to the Work. This CONTRACT supersedes all contemporaneous oral and prior oral and written agreements, understandings, representations, inducements, promises, communications or warranties of any nature whatsoever, by either PARTY or any agent, principal, officer, partner, employee or representative of either PARTY, with respect to the subject matter hereof. Without limiting the foregoing, CONSULTANT acknowledges that no representation, inducement, promise or warranty not contained in this CONTRACT will be valid or binding against AGENCY.

C. Amendment and Modification. No modification, waiver, amendment or discharge of this CONTRACT shall be valid unless the same is in writing and signed by duly authorized representatives of both PARTIES.

D. Assignment. CONSULTANT will not assign this CONTRACT or any portion thereof to a third-party without the prior written consent of AGENCY, and any attempted assignment without such prior written consent will be null and void and will be cause, at AGENCY's sole and absolute discretion, for immediate termination of this CONTRACT. AGENCY may withhold its consent to assignment at its discretion. In the event AGENCY consents to assignment, the obligations of CONSULTANT hereunder shall be binding on CONSULTANT's assigns.

E. Third-Party Beneficiaries. Except for the Indemnitees specified in Sections 8 and 10, this CONTRACT does not, and the PARTIES do not intend to, confer a third-party beneficiary right of action on any third-party whatsoever, and nothing set forth in this CONTRACT will be construed so as to confer on any third-party a right of action under this CONTRACT or in any manner whatsoever.

F. Time of Essence. Time limits stated in this CONTRACT, including all exhibits hereto, are of the essence.

G. Governing Law; Venue. This CONTRACT is made and entered into in the State of California and shall, in all respects, be interpreted, governed and enforced in accordance with the laws of the State of California applicable to contracts entered into and fully to be performed therein. The venue for any action, suit, arbitration, judicial reference, or other proceeding concerning this CONTRACT shall be in Ventura County, California.

H. Notices. All notices, requests, claims, and other official communications under the CONTRACT shall be in writing and transmitted by one of the following methods: (i) personal delivery; (ii) courier where receipt is confirmed; or (iii) registered or certified mail, postage prepaid, return receipt requested. Such notices and communications shall be deemed given and received upon actual receipt in the case of all except registered or certified mail; and in the case of registered or certified mail, on the date shown on the return receipt or the date delivery during normal business hours was attempted. All notices and communications shall be sent to CONSULTANT at the current address on file with AGENCY for contract payment purposes, and shall be sent to AGENCY as follows:

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Las Posas Valley Watermaster
c/o Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1670

Either PARTY may change its contact information by providing written notice of the change to the other PARTY in accordance herewith.

I. Further Actions. The PARTIES agree that they will execute any and all documents and take any and all other actions as may be reasonably necessary to carry out the terms and conditions of this CONTRACT.

J. Legal Representation. Each PARTY warrants and represents that in executing this CONTRACT, the PARTY has relied upon legal advice from attorneys of the PARTY's choice (or had a reasonable opportunity to do so); that the PARTY has read the terms of this CONTRACT and had their consequences (including risks, complications and costs) completely explained to the PARTY by the PARTY's attorneys (or had a reasonable opportunity to do so); and that the PARTY fully understands the terms of this CONTRACT. Each PARTY further acknowledges and represents that it has executed this CONTRACT freely and voluntarily without the undue influence of any person, and the PARTY has not relied on any inducements, promises or representations made by any person not expressly set forth in this CONTRACT.

K. No Waiver. Failure by a PARTY to insist upon strict performance of each and every term, condition, and covenant of this CONTRACT shall not be deemed a waiver or relinquishment of the PARTY's rights to enforce any term, condition, or covenant.

L. Partial Invalidity. If any provision of this CONTRACT is held by a court of competent jurisdiction to be invalid, void or unenforceable, the PARTIES intend, and it shall be so deemed, that the remaining provisions of this CONTRACT shall continue in full force without being impaired or invalidated in any way. If such provision is held to be invalid, void or unenforceable due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

M. Interpretation of Contract. For purposes of interpretation, this CONTRACT shall be deemed to have been drafted by both PARTIES, and no ambiguity shall be resolved against any PARTY by virtue of the PARTY's participation in the drafting of the CONTRACT. Accordingly, Civil Code section 1654 shall not apply to the interpretation of this CONTRACT. Where appropriate in the context of this CONTRACT, the use of the singular shall be deemed to include the plural, and the use of the masculine shall be deemed to include the feminine and/or neuter. Section and paragraph headings in this CONTRACT are included for ease of reference only and shall not affect its construction or interpretation.

N. Counterparts. This CONTRACT may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same contract.

[SIGNATURES ON FOLLOWING PAGE]

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PROFESSIONAL SERVICES CONTRACT

IN WITNESS WHEREOF, the PARTIES have executed this CONTRACT through their duly authorized representatives as of the last date written below.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY	**AQUILOGIC, INC.**
By: _____	By: _____
Name: John Demers	Name: _____
Title: Executive Officer	Title: _____
Date: _____	Date: _____

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Las Posas Valley Watermaster:
ASR Study Group Landowner Representative Services

EXHIBIT A
Scope of Work

Work and Services.

A. Subject to the judgment entered in *Los Posas Valley Water Rights Coalition et al. v Fox Canyon Groundwater Management Agency et al*, Santa Barbara County Superior Court Case No. VENC100509700 (Judgment), CONSULTANT shall serve as the Landowner Representative on the Calleguas Municipal Water District (Calleguas) Aquifer Storage and Recovery (ASR) Project Study Group (ASR Study Group) and advise Landowners, as that term is defined in the Judgment, on the following matters:

1. Calleguas ASR operations, operating scenarios, and impacts to the Las Posas Valley Basin (Basin);

2. ASR Study Group recommendations, work, and preparation of the Calleguas ASR Project Operations Plan; and

3. Material Injury and Undesirable Results related to operation of the Calleguas ASR Project generally and under any Calleguas ASR Project Operations Plan prepared by the ASR Study Group.

B. CONSULTANT shall attend all meetings of the ASR Study Group on behalf of the Landowners.

C. CONSULTANT shall be prepared to participate and represent the interests of Landowners on the ASR Study Group at each meeting of the ASR Study Group.

D. CONSULTANT shall, as directed by Landowners, attend any meeting of Landowners and report on the activities, work, and analyses of the Calleguas ASR Project and the operational scenarios being evaluated by the ASR Study Group.

Deliverables; Schedule.

A. In cooperation and coordination with other ASR Study Group members, CONSULTANT shall research, review, and prepare, as necessary under the circumstances, reports and recommendations regarding Calleguas ASR Project operations and operating scenarios; Material Injury and Undesirable Results related to the Callegaus ASR Project or its operations; and impacts to conditions in the Basin.

B. CONSULTANT shall prepare work and deliverables according to the schedule

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and deadlines

Performance Standards.

A. In addition to the professional requirements and standards set forth in Section 1 of the CONTRACT, all services and work performed or prepared by CONSULTANT under the CONTRACT shall be independent and unbiased based on the best available science.

B. CONSULTANT shall work collaboratively and in good faith with the ASR Study Group and its members to complete all work assigned to the ASR Study Group by the Judgment.

Professional Requirements.

A. Consistent with Section 13 of the CONTRACT, at CONSULTANT's sole cost and expense, CONSULTANT shall maintain his/her license(s) or certification(s) as a professional geologist or registered civil engineer in accordance with the California Business and Professions Code at all times during the term (including any extension) of the CONTRACT.

B. Consistent with Section 9(B) of the CONTRACT, CONSULTANT shall prepare and submit a statement of economic interests within 30 calendar days of executing the CONTRACT, and annually thereafter by April 1. Statements will be made to available to CONSULTANT electronically.

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Las Posas Valley Watermaster:
ASR Study Group Landowner Representative Services

EXHIBIT B
COMPENSATION, INVOICING, AND PAYMENT

Compensation Summary.

A. Except as expressly provided in the CONTRACT, the total sum of all payments made by AGENCY to CONSULTANT for services and work performed under this CONTRACT shall not exceed **$25,000** in any twelve-month period ("Not To Exceed Limit"). AGENCY expressly reserves the right to deny any payment or reimbursement requested by CONSULTANT for services or work performed in excess of this Not To Exceed Limit.

B. Subject to the Not To Exceed Limit set forth in subsection (A) above, AGENCY agrees to pay CONSULTANT an **hourly rate** compensation, for actual hours of work and services performed, based upon the hourly rates set forth in Exhibit B-1, attached hereto, which rates shall remain fixed for the duration of the CONTRACT.

Invoicing and Payment.

A. CONSULTANT invoicing and requests for payment shall be made on an AGENCY-approved claim form and include the following:

1. Personnel time records for work and services actually performed at the rates specified in this Exhibit if applicable; and

2. Receipts for all authorized reimbursable expense, along with the written AGENCY authorization for any specific reimbursable expenses requested for payment if required above.

B. Timely Invoicing Required.

1. Timely invoicing by CONSULTANT is required. Delays in invoicing for services and work performed increases the management effort required by AGENCY to ensure accurate payments to CONSULTANT and manage project budgets. Accordingly, CONSULTANT shall invoice the AGENCY for the performance or provision of Work no later than 60 calendar days after the close of the month in which the Work was performed or provided.

2. CONSULTANT shall submit a final invoice within 60 days of the earliest of the following events: (i) completion and acceptance by AGENCY of all Work required by the CONTRACT; or (ii) any termination of the CONTRACT.

C. CONSULTANT shall submit invoices and/or requests for payment to:

Las Posas Valley Watermaster

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c/o Fox Canyon Groundwater Management Agency
800 South Victoria Avenue, L#1610
Ventura, CA 93009-1670

D. Payments shall be made by AGENCY upon presentation of a properly completed AGENCY claim form and determination by AGENCY that all Work described in the claim form was performed or provided according to the CONTRACT.

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EXHIBIT B-1

(Consultant's Schedule of Fees)

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aquilogic, Inc.
environment ● water ● strategy

245 Fischer Avenue, Suite D-2
Costa Mesa, CA 92626, USA
Tel.: +1.714.770.8040
Web: www.aquilogic.com

2025 SCHEDULE OF FEES FOR CONSULTING SERVICES

1. Professional Services

Professional Services performed by personnel of **aquilogic** (including full-time, part-time, and contract staff) for hours spent on project activity, including office, field, and travel time, will be charged as follows (in U.S. Dollars):

Professional Personnel	Rate	Professional Personnel	Rate
Principal-in-Charge	$475	Project Consultant	$240
Senior Principal Consultant	$400	Staff Consultant	$195
Principal Consultant	$375	Project Accountant (CPA)	$250
Project Manager/ Senior Consultant	$320	Intern or Technician	$105

Unless otherwise agreed to in writing, time will be billed in half hour increments. All overtime (hourly or non-exempt support staff) will be billed at 1.25 times the above rates. Night, weekend, and holiday work requested by the client (all staff) will be billed at 1.25 times the above rates. Specialist services (e.g., consulting boards, advisory panels or similar specialist consultation, trial preparation) will be billed at 1.5 times the above rates (with a four-hour minimum). Deposition and trial testimony will be billed at $950 per hour (with a four-hour minimum).

This fee schedule is effective for the calendar year indicated at the top of this page. **Aquilogic** will issue a new fee schedule in December of each year that will apply for services performed in the subsequent year unless a new separate, client-specific fee schedule is negotiated for any subsequent year.

2. Subsistence and Expenses

Living and travel expenses incurred by personnel of **aquilogic** associated with a project will be charged at cost plus twelve percent (12%). A fixed per diem can be negotiated for specific projects. All airline travel exceeding four hours airport gate to gate (on the most direct route) will be in business class.

3. Materials, Subcontracts, and Equipment Rental

Direct material, equipment, outside services, and other expenses contracted or incurred by **aquilogic** on behalf of a project will be charged at cost plus twelve percent (12%), excluding contract staff. These disbursements include but are not limited to: Field equipment (e.g., field vehicles, testing equipment); subcontractor services (e.g., laboratory analyses); materials and supplies (e.g., sampling supplies); and other expenses (e.g., work permits, bonds). Postage, non-overnight shipping, telephone (office and cellular), office computing, facsimile, photocopying (excluding color), and miscellaneous office supplies are now included in the hourly rate.

4. Billings

Statements normally will be issued monthly, or at the completion of the project, and are payable upon receipt, unless otherwise agreed in writing by **aquilogic**. Interest, at the rate of one percent (1%) per month, not to exceed the maximum rate allowed by law, will be payable on any amounts not paid within thirty (30) days; payment thereafter to be applied first to accrued interest and then to the principal unpaid amount. Unless otherwise specified in other contract documents or project proposal, all work on a project will cease should any invoice remain unpaid 60 days after the invoice has been submitted to the client. Work will not recommence until the account has been made current; that is, all outstanding invoices (including accrued interest) have been paid.

For projects where **aquilogic** experts are offering testimony at deposition, trial, and/or part of an administrative hearing, all outstanding invoices must be paid prior to such testimony.

5. Indemnity

aquilogic shall indemnify, defend, and hold Client harmless from and against all claims, liabilities, suits, loss, cost, expense and damages for injury to or death of persons or damage to or destruction of property arising in

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aquilogic, Inc.
environment ● water ● strategy

245 Fischer Avenue, Suite D-2
Costa Mesa, CA 92626, USA
Tel.: +1.714.770.8040
Web: www.aquilogic.com

connection with and to the extent of Consultant's negligence in the performance of the Services under this Agreement.

6. Warranty

aquilogic warrants that the Services shall be performed in accordance with the standards customarily provided by an experienced and competent professional engineering organization performing the same or similar Services. Consultant shall re-perform at its own expense any of said Services which were not performed in accordance with this standard, provided that Consultant is notified in writing of the nonconformity within twelve (12) months after the performance of the deficient Services, and provided further that the cost to Consultant of such remedial Services shall not exceed the amount paid to Consultant under this Agreement. The foregoing are Consultant's entire responsibilities and Client's exclusive remedies for Services performed or to be performed hereunder, and no other warranties, guarantees, liabilities or obligations are to be implied.

7. Consequential Damages

In no event shall **aquilogic** or its sub-consultants/sub-contractors or vendors of any tier be liable in contract, tort, strict liability, warranty, or otherwise for any special, indirect, incidental, or consequential damages such as but not limited to loss of product, loss of use, non-operation, or increased costs of operation of equipment or systems, loss of anticipated profits or revenue, costs of capital, or cost of purchased or replacement equipment or systems.

8. Limitation of Liability

In no event shall the total aggregate liability of **aquilogic** exceed the amount paid by Client for the Services performed.

9. Disputes

Any disputes between the Parties which arise out of this Agreement which cannot be settled amicably by the Parties shall be submitted to and settled under the arbitration rules of the American Arbitration Association with proceedings in Los Angeles, California. Such disputes shall be governed in accordance with the laws of the state of California, U.S.A.

10. Confidentiality

aquilogic and the Client agree to keep confidential all Information supplied by others and not to utilize, either directly or indirectly, any information for any purpose other than related to Services being performed, or to disclose it to anyone, including partners and affiliated companies, except on a "need to know" basis, without prior written consent from the party providing said confidential information. If required, **aquilogic** and the Client shall execute a non-disclosure or confidentiality agreement (NDA) that further defines the provision, use and disclosure of confidential information.

11. Termination

Client may at any time, by fifteen (15) days written notice to **aquilogic**, terminate all or any part of the unperformed Services under this Agreement. In such event, **aquilogic** shall be compensated for Services performed to the effective date of termination, plus the reasonable costs of demobilization and settlement of subcontracts, purchase orders, and other commitments incurred by **aquilogic** for performance of the Services.

12. Entire Agreement

In the absence of any other executed agreement, this schedule of fees and accompanying proposal constitute the entire agreement between the Client and **aquilogic** for the Services to be performed. No modification shall be effective unless it is in writing and executed by both Parties. This Agreement supersedes any and all other agreements between the Parties, whether written or oral, with respect to the subject matter hereof.

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White Brenner LLP

whitebrennerllp.com

1608 T Street
Sacramento, CA 95811
T 916.468.0950 | F 916.468.0951

Barbara A. Brenner
T: 916.468.0625
Barbara@whitebrennerllp.com

September 22, 2025

VIA EMAIL

Clerk of the Board
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue L#1610
Ventura, CA. 93009-1610
FCGMA@venturacounty.gov

Re: Written Comments - Agenda Item No. 17 - Approval of and Authorization for the Executive Officer to Enter Into a Professional Services Contract with Robert Abrams (PhD, PG, CHG) of Aquilogic, Inc. to Serve as the Landowner Representative to the Calleguas Municipal Water District Aquifer Storage and Recovery Project Study Group

Dear Board Members:

On behalf of Del Norte Water Company ("DNWC"), please accept these written comments regarding Item No. 17 on the Board's September 24, 2025 meeting agenda.

As indicated in the agenda and attachments, staff is recommending that the Board approve and authorize the Executive Officer to enter into a professional services contract with Robert Abrams (PhD, PG, CHG) of Aquilogic, Inc., for a two-year term with a "not to exceed" limit of $25,000 per year, to serve as the Landowner Representative to the Calleguas Municipal Water District ("Calleguas") Aquifer Storage and Recovery Project Study Group ("ASR Study Group"). DNWC objects to this recommendation insofar as it proposes to pass the costs of Dr. Abrams' proposed contract onto DNWC's shareholders.

As this Board knows, Calleguas' primary role is importing and distributing water from Metropolitan Water District of Southern California ("Met"), which is mainly water from the State Water Project. Pumpers outside of the Calleguas service area do not receive water imported by Callegaus/Met. Consequently, pumpers outside the Calleguas service area do not stand to benefit from the Calleguas Aquifer Storage and Recovery Project or the ASR Study Group.

For these reasons, DNWC respectfully submits that it is unfair and inequitable to require users from outside the Calleguas service area to fund the Landowner's representative on the ASR Study Group. DNWC and its shareholders, as well as others outside of the Calleguas service area, should not be assessed or charged in any way for these proposed contract costs.

Thank you for your attention to this matter.

Regards,

White Brenner LLP

Barbara A. Brenner
BAB/prb

Cc: Del Norte Water Company Board of Directors

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

September 24, 2025

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

SUBJECT: Resolution No. 2024-05 Reserve Fee Annual Review – (*New Item*)

RECOMMENDATIONS: (1) Receive an update from Agency staff and hold a public meeting to consider the continued need for, and adjustments to, the fee imposed by Resolution No. 2024-05; and **(2)** Direct staff to continue collecting the fee at the currently approved rate of $20.00 per acre-foot (AF) through Fiscal Year 2025-26.

BACKGROUND:
On October 28, 2020, your Board adopted Resolution No. 2020-05 (attached as Exhibit 18A) imposing a fee of $20.00 per AF on groundwater extractions to establish a reserve fund to be used to pay the cost and expenses of legal actions and proceedings related to implementation of the Agency's groundwater sustainability program. The fee became effective January 1, 2021, and is imposed on all pumpers within the Agency's jurisdiction other than small domestic pumpers extracting two acre feet or less per year.

Resolution 2020-05 specified that the fee would terminate automatically on October 1, 2024, unless your Board took affirmative action to terminate the fee earlier, or to extend it to such other date as your Board selects. The Resolution required the Agency to hold a public meeting every 12 months following adoption to consider the continued need for, and adjustments to, the fee imposed by the Resolution.

On September 25, 2024, your Board adopted Resolution No. 2024-05 (attached as Exhibit 18B), extending the fee until October 1, 2028, and stating that the fee shall be applied only to groundwater extracted through September 30, 2028, unless your Board takes affirmative action to terminate the fee, or to extend it to such other date as your Board selects. The requirement for a review of the fee every 12 months during a public meeting remained operative.

The reserve fee provides revenue to the Agency's Groundwater Extraction Management Enforcement Surcharge (GEMES) Fund established in 2006 for the purpose of retaining special counsel to represent Agency interests. The October 28, 2020, staff report for the

original Resolution[1] included a projection of legal expenses through Fiscal Year (FY) 2024-25 based on existing and potential litigation. The staff report presented during the September 25, 2024 meeting updated the revenue and cashflow analysis of the GEMES Fund through FY 2026-27, showing a positive balance during FY 2024-25 but negative balances for succeeding years without additional revenue achieved by continued collection of the reserve fee, which was an important factor in the approval of Resolution 2024-05[2].

DISCUSSION:

The Agency is currently involved in three lawsuits related to implementation of its groundwater sustainability program, two comprehensive groundwater adjudications and a challenge to the Allocation Ordinance for the Oxnard and Pleasant Valley Groundwater Basins (OPV Basins). In July 2023, the trial court entered judgment in the Las Posas Valley Basin adjudication, which is currently under appeal. The comprehensive adjudication of the OPV Basins began in earnest in mid-2024, and a Phase 1 trial to determine the native and total safe yields of the OPV Basins is scheduled in September 2025. If no settlement is reached in that action, it is expected to last at least through FY 2026-27. Finally, a decision from the court of appeals on the challenge to the allocation ordinance for the OPV Basins is expected sometime in FY 2025-26, but trial court proceedings will continue until the court accepts a revised allocation ordinance and all appeals have concluded. Therefore, this case may not conclude until sometime in FY 2026-27.

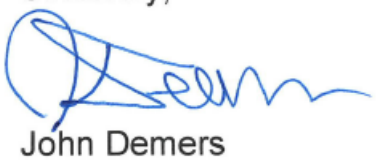
Updating the prior analysis prepared to support Resolution No. 2024-05, staff prepared an estimate of projected legal expenses as part of the FY 2025-26 budget along with revenue and GEMES Fund cashflow estimates, attached as Items 18C and 18D, based on the current procedural status of all cases and its best estimate of anticipated costs in light of the facts and circumstances currently known about existing litigation, reasonable assumptions based on those facts, and expert opinion regarding the costs associated with complex groundwater litigation and writ proceedings. As noted in previous annual reviews, there is considerable uncertainty in any projection of future legal fees. This estimate does not include costs related to other potential legal actions and proceedings. At a rate of $20.00 per AF, the fee is projected to produce approximately $2,400,000 in revenue during FY 2025-26, which would result in a positive GEMES Fund balance of $1,434,534. However, based on current estimates for projected pumping and legal expenses, the GEMES Fund would be projected to end the FY 2026-27 and FY 2027-28 with deficits of approximately $140,466 and $1,715,466 if no fee is collected, due to ongoing expenses.

Given the aforementioned uncertainty in forecasting legal expenses and the desire to avoid a negative balance in the GEMES Fund, as has happened in the past, staff recommends your Board maintain the reserve fee at the current rate of $20.00 per AF and continue its collection through the current fiscal year, FY 2025-26.

[1] See Item 9, 10/28/2020, under Item Attachments: https://ventura.primegov.com/portal/item?id=176338
[2] See Item 18, 9/25/2024, under Item Attachments: https://ventura.primegov.com/portal/item?id=271791

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 650-4083.

Sincerely,



John Demers
Executive Officer

Attachment: Item 18A – Resolution No. 2020-05
Item 18B – Resolution No. 2024-04
Item 18C – Estimated Legal Expenses
Item 18D – Revenue and GEMES Fund Cashflow Analysis

Resolution No. 2020-05

of the
Fox Canyon Groundwater Management Agency

A RESOLUTION IMPOSING A FEE ON GROUNDWATER EXTRACTIONS TO ESTABLISH A RESERVE FUND TO BE USED TO PAY THE COST AND EXPENSES OF ACTIONS AND PROCEEDINGS RELATED TO THE AGENCY'S GROUNDWATER SUSTAINABILITY PROGRAM

WHEREAS, the Fox Canyon Groundwater Management Agency (the Agency) is a groundwater sustainability agency under the Sustainable Groundwater Management Act (the Act) for all the basins within the Agency's statutory boundaries (Basins); and

WHEREAS, the Agency has entered into a joint powers agreement with the County of Ventura through which the Agency exercises all powers of a groundwater sustainability agency in areas overlying the Basins that are outside the Agency's statutory boundaries; and

WHEREAS, the Act at Water Code section 10730(a) authorizes a groundwater sustainability agency to impose fees on groundwater extractions to fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and investigations, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve; and

WHEREAS, the Act at Water Code section 10726.2(f) authorizes a groundwater sustainability agency to commence, maintain, intervene in, defend, compromise, and assume the cost and expenses of any and all actions and proceedings; and

WHEREAS, beginning in calendar year 2018, and continuing to the present, the Agency has been named in a series of actions and proceedings which challenge the Agency's implementation of, and authority under, the Act; and

WHEREAS, the Agency reasonably anticipates the filing of additional actions and proceedings in response to its adoption and implementation of groundwater sustainability plans for the Basins, including, but not limited to, actions and proceedings in response to the Agency's adoption and implementation of groundwater management actions described therein; and

WHEREAS, beginning in fiscal year 2017/18, and continuing to the current fiscal year, the Agency has incurred significant legal expenses related to the pending and anticipated actions and proceedings; and

WHEREAS, the Agency anticipates incurring ongoing significant legal expenses over the next several fiscal years related to actions and proceedings which challenge the Agency's ability to fully exercise the powers and authorities granted under the Act; and

WHEREAS, the Agency's existing groundwater extraction fees are currently adequate to fund administration of the Agency's groundwater sustainability program, but do not generate sufficient revenue to fund the ongoing cost and expenses of legal actions and proceedings brought against the Agency; and

WHEREAS, the continued legal representation of the Agency's interests in these actions and proceedings is necessary to allow the Agency to carry out its groundwater sustainability program and to achieve sustainable groundwater management in accordance with the Act; and

WHEREAS, the continued legal representation of the Agency's interest in these pending and anticipated actions and proceedings will provide benefits to all water users within the Basins because, among other things, the claims that have been or are anticipated are capable of repetition and resolution of these matters has the potential to create binding precedent and/or create a model for dispute resolution, resolving issues of importance to all operators and further define the scope of the Agency's authority; and

WHEREAS, it is necessary to impose a fee on groundwater extractions to establish a reserve fund to be used to pay the cost and expenses of legal actions and proceedings related to the Agency's groundwater sustainability program; and

WHEREAS, the legal reserve fee was calculated based on the best honest viewpoint of the anticipated costs in light of the facts and circumstances currently known about existing and threatened litigation, reasonable assumptions based on those facts, and expert opinion regarding the costs associated with complex groundwater litigation and writ proceedings and related groundwater sustainability plan enforcement efforts; and

WHEREAS, the Board found and determined that based on the evidence presented, the proposed fee is a legitimate regulatory fee to be imposed on the groundwater extractions that is: (a) reasonably related and not more than necessary to the cost of enforcing actions and proceedings related to the Agency's implementation of groundwater sustainability plans for the Basins, (b) bears a fair or reasonable relationship to the payor's burdens on the groundwater system or benefits from implementation of the Agency's groundwater sustainability plans, and (c) is not levied for unrelated revenue purposes because the funds will be earmarked and placed in a designated legal reserve fund; and

WHEREAS, the data upon which the proposed fee is based has been made available to the public for at least 20 days prior to adoption of this Resolution; and

WHEREAS, prior to adoption of this Resolution, the Agency held the public meeting required under Section 10730, subdivision (b), of the Act, notice of which was given as required by law.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED as follows:

1. The above recitals are true and correct and material to this Resolution.
2. In making its findings, the Board relied up on and hereby incorporates by reference the staff report and attachments, staff presentation, public comments and other related materials presented at the public meeting.
3. Effective January 1, 2021, a fee of twenty dollars ($20.00) per acre-foot shall be imposed on groundwater extractions from facilities within the Basins. The fee imposed by this Resolution shall be due and payable to the Agency by each owner or operator of an extraction facility in the manner provided in chapter 2.0 of the Agency Ordinance Code.

4. The revenue derived from the fee imposed under this Resolution shall be earmarked and placed in a separate fund used solely for the purpose of paying the cost and expenses of actions and proceedings related to the Agency's implementation of groundwater sustainability plans for the Basins.
5. The fee imposed under this Resolution shall not be collected from any person who extracts, for domestic purposes, two (2) acre-feet per year or less.
6. The fee imposed under this Resolution shall terminate automatically on October 1, 2024, and shall be applied only to groundwater extracted through September 30, 2024, unless the Agency Board of Directors takes affirmative action to terminate the fee, or to extend it to such other date as the Board selects.
7. Every twelve (12) months following adoption hereof, the Agency shall hold a public meeting to consider the continued need for, and adjustments to, the fee imposed by this Resolution.

On motion by Director Mobley, and seconded by Director Trembley the foregoing resolution was passed and adopted on October 28, 2020, by the following vote.

AYES – 5
NOES – 0
ABSTAINS - 0
ABSENT – 0

By: _____
Eugene F. West, Chair, Board of Directors
Fox Canyon Groundwater Management Agency

ATTEST: I hereby certify that the above is a true and correct copy of Resolution No. 2020-05.

By: Keely Royas
Keely Royas, Clerk of the Board

Resolution No. 2024-05
of the
Fox Canyon Groundwater Management Agency

A RESOLUTION EXTENDING A FEE ON GROUNDWATER EXTRACTIONS AT THE CURRENT RATE TO MAINTAIN A RESERVE FUND TO BE USED TO PAY THE COST AND EXPENSES OF ACTIONS AND PROCEEDINGS RELATED TO THE AGENCY'S GROUNDWATER SUSTAINABILITY PROGRAM

WHEREAS, the Fox Canyon Groundwater Management Agency (the Agency) is a groundwater sustainability agency under the Sustainable Groundwater Management Act (the Act) for all the basins within the Agency's statutory boundaries (Basins); and

WHEREAS, the Agency has entered into a joint powers agreement with the County of Ventura through which the Agency exercises all powers of a groundwater sustainability agency in areas overlying the Basins that are outside the Agency's statutory boundaries; and

WHEREAS, the Act, at Water Code section 10730(a), authorizes a groundwater sustainability agency to impose fees on groundwater extractions to fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and investigations, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve; and

WHEREAS, the Act, at Water Code section 10726.2(f), authorizes a groundwater sustainability agency to commence, maintain, intervene in, defend, compromise, and assume the cost and expenses of any and all actions and proceedings; and

WHEREAS, beginning in calendar year 2018, and continuing to the present, the Agency has been named in a series of actions and proceedings which challenge the Agency's implementation of, and authority under, the Act; and

WHEREAS, the Agency reasonably anticipates the filing of additional actions and proceedings in response to its evaluation, amendment, and implementation of groundwater sustainability plans for the Basins, including, but not limited to, actions and proceedings in response to the Agency's adoption and implementation of groundwater management actions described therein; and

WHEREAS, beginning in Fiscal Year 2017-2018, and continuing to the current fiscal year, the Agency has incurred significant legal expenses related to the pending and anticipated actions and proceedings; and

WHEREAS, the Agency anticipates incurring ongoing significant legal expenses over the next several fiscal years related to actions and proceedings which challenge the Agency's ability to fully exercise the powers and authorities granted under the Act; and

WHEREAS, the Agency's existing groundwater extraction fees are currently adequate to fund administration of the Agency's groundwater sustainability program, but do not generate sufficient revenue to fund the ongoing cost and expenses of legal actions and proceedings brought against the Agency; and

WHEREAS, the continued legal representation of the Agency's interests in these actions and proceedings is necessary to allow the Agency to carry out its groundwater sustainability program and to achieve sustainable groundwater management in accordance with the Act; and

WHEREAS, the continued legal representation of the Agency's interest in these pending and anticipated actions and proceedings will provide benefits to all water users within the Basins because, among other things, the claims that have been or are anticipated are capable of repetition and resolution of these matters has the potential to create binding precedent and/or create a model for dispute resolution, resolving issues of importance to all operators and further define the scope of the Agency's authority; and

WHEREAS, on October 28, 2020, the Agency adopted Resolution 2020-05 imposing a fee on groundwater extractions to establish a litigation reserve fund to pay the cost and expenses of actions and proceedings related to the Agency's groundwater sustainability program; and

WHEREAS, Resolution 2020-05 provides that it shall terminate automatically on October 1, 2024, unless the Agency's Board of Directors takes affirmative action to extend it; and

WHEREAS, given ongoing and anticipated litigation, it is necessary to extend Resolution 2020-05 so that the Agency may continue to collect a fee on groundwater extractions to be used to pay the cost and expenses of legal actions and proceedings related to the Agency's groundwater sustainability program; and

WHEREAS, the legal reserve fee was calculated based on the best honest viewpoint of the anticipated costs in light of the facts and circumstances currently known about existing and threatened litigation, reasonable assumptions based on those facts, and expert opinion regarding the costs associated with complex groundwater litigation and writ proceedings and related groundwater sustainability plan enforcement efforts; and

WHEREAS, the Board found and determined that based on the evidence presented, the proposed fee is a legitimate regulatory fee to be imposed on the groundwater extractions that is:

(a) Reasonably related and not more than necessary to the cost of enforcing actions and proceedings related to the Agency's implementation of groundwater sustainability plans for the Basins,
(b) Bears a fair or reasonable relationship to the payor's burdens on the groundwater system or benefits from implementation of the Agency's groundwater sustainability plans, and
(c) Is not levied for unrelated revenue purposes because the funds will be earmarked and placed in a designated legal reserve fund; and

WHEREAS, the data upon which the proposed fee is based has been made available to the public for at least twenty (20) days prior to adoption of this Resolution; and

WHEREAS, prior to adoption of this Resolution, the Agency held the public meeting required under Section 10730, subdivision (b), of the Act, notice of which was given as required by law.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED as follows:

1. The above recitals are true and correct and material to this Resolution.

2. In making its findings, the Board relied upon and hereby incorporates by reference the staff report and attachments, staff presentation, public comments, and all other documents, reports, studies, memoranda, oral and written testimony in the Agency's file for this reserve fund, and other related materials presented at the public meeting.

3. Effective October 1, 2024, a fee of twenty dollars ($20.00) per acre-foot shall be imposed on groundwater extractions from facilities within the territory of the Agency. The fee imposed by this Resolution shall be due and payable to the Agency by each owner or operator of an extraction facility in the manner provided in chapter 2.0 of the Agency Ordinance Code.

4. The revenue derived from the fee imposed under this Resolution shall be earmarked and placed in a separate fund used solely for the purpose of paying the cost and expenses of actions and proceedings related to the Agency's implementation of groundwater sustainability plans for the Basins.

5. The fee imposed under this Resolution shall not be collected from any person who extracts, for domestic purposes, two (2) acre-feet per year or less.

6. The fee imposed under this Resolution shall terminate automatically on October 1, 2028, and shall be applied only to groundwater extracted through September 30, 2028, unless the Agency Board of Directors takes affirmative action to terminate the fee, or to extend it to such other date as the Board selects.

7. Every twelve (12) months following adoption hereof, the Agency shall hold a public meeting to consider the continued need for, and adjustments to, the fee imposed by this Resolution.

On motion by Director Mandhardt and seconded by Director Trembley the foregoing resolution was passed and adopted on September 25, 2024, by the following vote:

AYES – 5
NOES –
ABSTAINS –
ABSENT –

By: _____
Eugene F. West, Chair, Board of Directors
Fox Canyon Groundwater Management Agency

ATTEST: I hereby certify that the above is a true and correct copy of Resolution No. 2024-05.

By: _____
Elka Weber, Clerk of the Board

Item 18C - Estimated Legal Expenses
FCGMA Board Meeting, September 24, 2025

Table 1

Estimated Legal Expenses

	FY 2020-21[1]	FY 2021-22[1]	FY 2022-23[1]	FY 2023-24[1]	FY 2024-25[1]	FY 2025-26	FY 2026-27
Las Posas Valley Basin Adjudication/Watermaster							
Special Counsel	$1,297,600	$1,442,650	$1,494,525	$475,714	$575,987	$375,000	$450,000
County Counsel	$79,208	$113,680	$219,715	$38,073	$169,124	$40,000	$50,000
Oxnard and Pleasant Valley (OPV) Basins Adjudication							
Special Counsel	$130,802	$261,409	$191,004	$62,250	$537,162	$750,000	$600,000
County Counsel	$12,645	$17,969	$14,758	$58,793	$63,473	$125,000	$65,000
City of Oxnard Action to Set Aside OPV Allocation Ordinance							
Special Counsel	$140,160	$126,211	$364,397	$251,199	$322,127	$450,000	$350,000
County Counsel	$31,475	$4,719	$14,697	$64,491	$16,380	$50,000	$60,000
Subtotals							
Special Counsel	$1,568,561	$1,830,270	$2,049,926	$789,163	$1,435,276	$1,575,000	$1,400,000
County Counsel	$123,327	$136,368	$249,170	$161,357	$248,977	$215,000	$175,000
TOTALS	$1,691,888	$1,966,638	$2,299,096	$950,520	$1,684,253	$1,790,000	$1,575,000

[1] FY 2020-21, FY 2021-22, FY 2022-23, FY 2023-24, and FY 2024-25 are fiscal year end actuals; all other fiscal years are estimated projections.

Item 18D - Revenue and GEMES Cashflow Analysis
FCGMA Board Meeting, September 24, 2025

Table 2

Revenue and GEMES Cashflow Analysis

	FY 2020-21[1]	FY 2021-22[1]	FY 2022-23[1]	FY 2023-24[1]	FY 2024-25[1,3]	FY 2025-26	FY 2026-27
Revenue[4]	$443,426	$1,865,459	$1,776,295	$3,064,646	$2,472,441		
Special Counsel	($1,435,145)	($1,830,270)	($2,049,926)	($1,295,000)	($1,435,276)	($1,575,000)	($1,400,000)
County Counsel	($121,467)	($136,367)	($249,170)	($142,500)	($248,977)	($215,000)	($175,000)
GEMES Acct[5]	($966,821)	($1,067,999)	($1,590,800)	$36,346	$824,534	($965,466)	($2,540,466)

[1] FY 2020-21, FY 2021-22, FY 2022-23, FY 2023-24, and FY 2024-25 are year end actuals; later years are estimated projections.

[2] A portion of 2022-2 and 2023-1 reporting period revenue for FY 2022-23 billings received in FY 2023-24.

[3] GEMES Reserve Fee renewed on September 25, 2024, with adoption of Resolution No. 2024-05.

[4] Revenue based on fee implementation January 1, 2021, through FY 2024-25.

[5] Projected GEMES Reserve Fund account year end balance.

Reserve Fee Annual Review

Item No. 18 – September 24, 2025

John Demers
Executive Officer

Background

- On Oct 28, 2020, the Board adopted Resolution No. 2020-05 imposing $20 per AF fee on groundwater extractions to provide revenue to the GEMES fund for legal fees including special counsel to represent the Agency.
  - The fee became effective Jan 1, 2021
  - Small domestic pumpers extracting 2 AF or less per year exempt
- The Resolution required the Agency to hold a public meeting every 12 months to review the fee.
- Fee would terminate automatically on Oct 1, 2024, unless the Board acted to extend it.
- On September 25, 2024, the board adopted Resolution No. 2024-05, extending the Reserve fee until September 30, 2028.
  - Other provisions remain the same as Resolution No. 2020-05.

Discussion

- Revenue and legal expense projections show the GEMES Fund will carry a negative balance unless the Reserve fee collection is continued.
- Considerable resources expended on legal fees over the past several years responding to legal challenges including:
  - LPV adjudication
  - OPV adjudication
  - Challenge to OPV allocation ordinance
  - Challenges to the Agency's adoption of a groundwater sustainability plans (GSPs)
- Given the current situation, legal fees are expected to remain substantial for the foreseeable future.

Actual and Estimated Legal Expenses

	FY2020-21[1]	FY2021-22[1]	FY2022-23[1]	FY2023-24[1]	FY2024-25[1]	FY2025-26	FY2026-27
Las Posas Valley Basin Adjudlcation/Watermaster							
Special Counsel	$1,297,600	$1,442,650	$1,494,525	$475,714	$575,987	$375,000	$450,000
County Counsel	$79,208	$113,680	$219,715	$38,073	$169,124	$40,000	$50,000
Oxnard and Pleasant Valley (OPV) Basins Adjudication							
Special Counsel	$130,802	$261,409	$191,004	$62,250	$537,162	$750,000	$600,000
County Counsel	$12,645	$17,969	$14,758	$58,793	$63,473	$125,000	$65,000
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Special Counsel	$140,160	$126,211	$364,397	$251,199	$322,127	$450,000	$350,000
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County Counsel	$123,327	$136,368	$249,170	$161,357	$248,977	$215,000	$175,000
TOTALS	$1,691,888	$1,966,638	$2,299,096	$950,520	$1,684,253	$1,790,000	$1,575,000

[1] FY 2020-21, FY 2021-22, FY 2022-23, FY 2023-24, and FY 2024-25 are fiscal year end actuals; all other fiscal years are estimated projections.

Agency Accounts

Account	Board Direction
Designated GEMES Account (Groundwater Extraction Management Enforcement Surcharge)	• Established by Resolution No. 2006-04; • Board directed to fund litigation costs including Agency counsel; • Reserve Fee established by Resolution No. 2020-05 funds special counsel to represent Agency; extended by Resolution No. 2024-05.
Designated Surcharges Account	For Board-directed uses only, not to be used for routine Agency operations
Designated Operating Reserves Account	Maintain $1,000,000 reserve balance based on Board direction
Operating Account	Routine annual operation expenses as identified in Work Plan
Grand Total Fund Balance	Total of all above

Revenue and Cashflow Analysis – GEMES Account

	FY2020-21[1]	FY2021-22[1]	FY2022-23[1]	FY2023-24[1]	FY2024-25[1, 3]	FY2025-26	FY2026-27
Revenue[4]	$443,426	$1,865,459	$1,776,295	$3,064,646	$2,472,441		
Special Counsel	($1,435,145)	($1,830,270)	($2,049,926)	($1,295,000)	($1,435,276)	($1,575,000)	($1,400,000)
County Counsel	($121,467)	($136,367)	($249,170)	($142,500)	($248,977)	($215,000)	($175,000)
GEMESAcct[5]	($966,821)	($1,067,999)	($1,590,800)	$36,346	$824,534	($965,466)	($2,540,466)

[1] FY 2020-21, FY 2021-22, FY 2022-23, FY 2023-24, and FY 2024-25 are year end actuals; later years are estimated projections.

[2] A portion of 2022-2 and 2023-1 reporting period revenue for FY 2022-23 billings received in FY 2023-24.

[3] GEMES Reserve Fee renewed on September 25, 2024, with adoption of Resolution No. 2024-05.

[4] Revenue based on fee implementation January 1, 2021, through FY 2024-25.

[5] Projected GEMES Reserve Fund account year end balance.

Recommendation

- Approve.
- Approval will extend a fee of $20.00 per acre-foot on groundwater extractions to maintain a reserve fund to pay the cost and expenses of legal actions and proceedings related to the implementation of the Agency's groundwater sustainability program.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

September 24, 2025

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

SUBJECT: Hearing on R.N. Daily Ranch's Appeal of the Interim Executive Officer's Denial of Well Drilling Application No. 0309 – (*Returning Item*)

RECOMMENDATIONS: (1) Conduct a hearing to consider R.N. Daily Ranch's appeal of the Interim Executive Officer's denial of Well Drilling Application No. 0309; **(2)** Affirm (uphold) the Interim Executive Officer's denial of Well Drilling Application No. 0309; **(3)** Direct Agency Counsel to prepare a decision consistent with your Board's direction; and **(4)** Continue the hearing to a future meeting for adoption of a written decision.

INTRODUCTION:

This appeal involves R.N. Daily Ranch's application to drill a new extraction facility (well) on property located in the Pleasant Valley Basin, Well Drilling Application No. 0309 (the Application) and the Interim Executive Officer's denial of the Application. The Agency's ordinances establish rules and requirements for (1) the drilling of a new or replacement well and (2) the transfer of extraction allocation from an existing well to a new well. Staff determined that the Application did not meet these ordinance requirements; accordingly, the Interim Executive Officer denied the Application. During its preparation for the June 13, 2025 hearing, staff also learned an existing family/probate law dispute is pending between the owner of the original allocation, Daily Marital Trust UTD May 25, 1995 (Daily Marital Trust), and R.N. Daily Ranch, which needs some amount or portion of the allocation to pump at the proposed well. Because the Application did not satisfy the Agency's ordinance requirements and staff's concern that the Agency would become involved in the underlying probate/family law dispute or result in a new lawsuit if your Board reversed the denial, staff recommended – and continues to recommend – that your Board affirm (uphold) the Interim Executive Office's denial of the Application.

BACKGROUND:

Your Board previously held a hearing on this matter on June 13, 2025. Your Board's vote at the hearing, however, resulted in no action on the R.N. Daily Ranch appeal. At the conclusion of the June 13, 2025, hearing, it was unclear whether your Board wished for this matter to be reheard by the entire board. Consequently, out of an abundance of

caution, this appeal is being reheard to allow the entire Board to consider and decide this matter.

Nature of Proceeding. This item is an administrative hearing requiring your Board to consider and determine the appeal of the Interim Executive Officer's denial of the Application brought by the applicant, R.N. Daily Ranch. Unlike when your Board adopts plans and policies that apply generally to all owners and operators in the Agency or a particular groundwater basin, this item requires your Board to act in a quasi-adjudicative capacity and determine the rights of individual parties. Your Board's decision will be the final decision of the Agency, and therefore, either party may decide to seek judicial review of your Board's decision in court.

Hearing Rules. The Agency has adopted rules governing the conduct of administrative hearings before your Board. (Resolution No. 2006-06.) These rules apply and/or set hearing procedures and rules for introducing evidence and testimony, discussion with and questioning of staff, parties, and witnesses, and preparation of the Agency's decision. Notwithstanding these rules, hearings before your Board are generally conducted informally. With the Chair's permission, your Board may ask questions of staff, Agency Counsel, and either party during the hearing, staff and party presentations, and as you deliberate and discuss.

Hearing Process. The Chair or Agency Counsel will introduce this item as an appeal hearing, explain the hearing process, and identify applicable rules for presentations and the introduction of evidence. Then, staff will provide a short summary of its board letter which will include relevant facts and ordinances and explain the reasons for the Interim Executive Officer's denial and its recommendation that your Board affirm (uphold) that decision. Thereafter, you will receive presentations from the applicant R.N. Daily Ranch and any persons in favor of the appeal and then receive a presentation from Daily Marital Trust and persons opposed to the appeal. The appellant R.N. Daily Ranch will have the opportunity to present a rebuttal. Finally, staff and/or Agency Counsel may provide closing comments. Once all presentations have been concluded, your Board will have the opportunity to discuss, deliberate, and form a decision.

Exhibits. Any relevant evidence may be introduced and considered so long as it is the sort of evidence that responsible persons are accustomed to rely in the conduct of serious affairs. The Chair may exclude irrelevant or redundant evidence and testimony, and make such other rules, for the orderly conduct of the hearing. All exhibits will be retained by the Agency as part of the administrative record of this appeal.

In this case, staff and the parties have prepared and/or submitted several exhibits in advance of this hearing. This includes the exhibits submitted as part of the June 13, 2025 hearing. Nonetheless, each party will also have the opportunity to submit additional evidence and exhibits up to the time of and at the hearing. Because of the significant number of exhibits already submitted to the Agency, this staff report includes as attachments only the parties' introductory letters and statements of the case. (See attached Exhibit Nos. 19A – 19C.) Additional exhibits made available by staff and the

parties may be accessed via the following link: **9-24-25 RN Daily Ranch Appeal Hearing Exhibits**. These exhibits, although being made in advance, will be formally introduced and marked as exhibits at the hearing.

STAFF SUMMARY AND RECOMMENDATION:[1]

Both the OPV Allocation Ordinance[2] and the Agency Ordinance Code require applications for the transfer of extraction allocation to be submitted jointly by the owners and operators involved in the transfer. Specifically, both ordinances provide: "Requests for transfer or temporary assignment of extraction allocations *shall be submitted jointly* by the operators and owners involved and shall include the specific details of their proposal." (OPV Allocation Ordinance, § 9.2; Agency Ordinance Code, § 5.3.5 (emphasis added).) This requirement makes sense from the Agency's administrative and regulatory perspective. In the absence of the joint application/approval requirement, a well owner with no allocation to extract groundwater could attempt to acquire allocation from another well owner without their agreement or permission.

In addition, during preparation for the June 13, 2025, hearing, staff learned that an existing family/probate law dispute is pending between Daily Marital Trust (the owner of the original allocation) and R.N. Daily Ranch. This dispute is between a mother and daughter, includes one party's challenge to the other's administration of the estate, and has been pending in the Ventura Superior Court for several years. At the June 13, 2025, hearing, given the pending family/probate law dispute, staff recommended that your Board affirm (uphold) the Interim Executive Officer's denial of the Application to avoid becoming involved in this underlying family/probate law dispute. Following the June 13, 2025, hearing, Agency Counsel reached out to counsel for both R.N. Daily Ranch and Daily Marital Trust to see whether the allocation transfer issues could be resolved without a subsequent hearing. Although Agency Counsel was able to discuss settlement options with both parties, counsel for Daily Marital Trust remained concerned that any settlement would jeopardize his client's positions and claims in the underlying family/probate matter and ultimately requested a hearing on the Application and a decision from your Board. Staff remains concerned that reversal of the Interim Executive Officer's denial of the Application would result in (i) Daily Marital Trust challenging your Board's decision and the Agency becoming involved in the underlying family/probate lawsuit; or (ii) Daily Marital Trust commencing a new lawsuit challenging your Board's decision as contrary to the Agency ordinance provisions requiring allocation transfers be submitted jointly by the owners and operators involved.

Staff expects R.N. Daily Ranch to argue that the Agency's approval of R.N. Daily Ranch's application to drill a new well resulted in the automatic transfer of some amount or portion of the allocation held by Daily Marital Trust to R.N. Daily Ranch for use at the proposed well. No Agency ordinance supports this theory of automatic allocation transfer. Further,

[1] A more detailed description of the Application, the parties, and their respective interests and claims is included in the board letter for the June 13, 2025, hearing. (See attached Exhibit 19A.)

[2] All references herein to the "OPV Allocation Ordinance" shall refer to and mean "An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins," as amended.

any claim that the Agency formally approved the allocation transfer is not accurate. A clerical error by R.N. Daily Ranch consultants or representatives resulted in Agency staff inadvertently assigning a CombCode to the new well before determining it did not have an allocation to pump, staff subsequently clarified – and R.N. Daily Ranch consultants or representatives agreed and confirmed – that no allocation transfer occurred and the entire allocation at issue remained with the well owned and operated by Daily Marital Trust. It is staff's position that no allocation was transferred from Daily Marital Trust to R.N. Daily Ranch.

Because the Application was not submitted jointly by R.N. Daily Ranch and Daily Marital Trust and reversing the Interim Executive Officer's denial may result in the Agency becoming involved in the underlying family/probate dispute or a separate legal challenge, staff strongly recommends that your Board affirm (uphold) the Interim Executive Officer's denial of the Application.

CONCLUSION:
It is recommended that your Board **(1)** Conduct a hearing to consider R.N. Daily Ranch's appeal of the Interim Executive Officer's denial of Well Drilling Application No. 0309; **(2)** Affirm the Interim Executive Officer's denial; **(3)** Direct Agency Counsel to prepare a written decision consistent with your Board's decision and direction; and **(4)** Continue the hearing to a future meeting for adoption of a written decision.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 650-4083.

Sincerely,

John Demers
Executive Officer

Enclosures:

Exhibit 19A: June 13, 2025, FCGMA R.N. Daily Ranch Appeal Board Letter
Exhibit 19B: September 8, 2025, Gary Arnold/R.N. Daily Ranch Appeal Letter
Exhibit 19C: September 12, 2025, David Esquibias/Daily Marital Trust Opposition Letter

Additional exhibits made available by staff and the parties may be accessed via the following link: **9-24-25 RN Daily Ranch Appeal Hearing Exhibits**.

These exhibits, although being made in advance, will be formally introduced and marked as exhibits at the hearing, and will be archived with indexed agenda materials after the hearing concludes.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

INTERIM EXECUTIVE OFFICER
Jeff Palmer

June 13, 2025

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Public Hearing on Appeal of Interim Executive Officer's Decision to Deny FCGMA Water Well Application No. 0309, R.N. Daily Ranch, LLC [CombCode: RNDCAM] – *(New Item)*

RECOMMENDATIONS: (1) Conduct a hearing on the appeal of R.N. Daily Ranch, LLC (Daily Ranch), from the decision of the Interim Executive Officer to deny FCGMA Water Well Permit Application No. 0309 (Application No. 0309); **(2)** Affirm the Interim Executive Officer's denial of Application No. 0309; **(3)** Direct Agency Counsel to prepare a written decision affirming the denial of Application No. 0309; and **(4)** Continue this hearing until the June 25, 2025 FCGMA Board meeting where a final written decision on Daily Ranch's appeal can be adopted.

BACKGROUND:
Well permit applications for proposed wells in the Pleasant Valley Basin are reviewed for compliance with the Agency Ordinance Code, Emergency Ordinance E, and the OPV Allocation Ordinance. Daily Ranch filed an application for a well permit on January 22, 2025 (see Exhibit 17A), to install a well in the Pleasant Valley Basin, Pumping Trough Management Area, to replace State Well Number (SWN) 01N21W03H03S (03H03). Application No. 0309 is for a new well to replace the two previous wells, SWN 03H02 and SWN 03H03. The original well, SWN 01N21W03H02S (03H02), was operational and reported extractions to the Agency since 2002. This well was also operational during the period 2005 through 2014, which is the base period used in *An Ordinance To Establish An Allocation System For The Oxnard And Pleasant Valley Groundwater Basins* (OPV Allocation Ordinance). As such, SWN 03H02 received a base allocation of 308.627 acre-feet (AF) per year (308.627 AF/year) under the OPV Allocation Ordinance. The replacement well, SWN 03H03, was drilled between December 2018 and January 2019, based on well completion logs, as a replacement for SWN 03H02. However, a valid transfer of the extraction allocation from SWN 03H02 to SWN 03H03 was never completed because the application materials received by the Agency were incomplete and/or did not satisfy the requirements of the Agency's ordinances. Therefore, the Interim Executive Officer denied

FCGMA Water Well Permit Application No. 0309, and SWN 03H02 retains the total amount of the current extraction allocation (Exhibit 17A).

DISCUSSION

Well History

In order to understand this appeal, the history of the two previous wells must be understood. SWN 03H02 and SWN 03H03 are located on different parcels, APN: 230-0-061-090 (P50) and APN: 9230-0-061-010 (P225), respectively. The two wells have never been operated at the same time because SWN 03H03 was drilled as a replacement for SWN 03H02. However, each well was drilled with the condition that it supplies water to both parcels.

SWN 03H02 and APN 230-0-061-090 (50 acres) are owned by Noel Nottingham Daily, Trustee of the Daily Marital Trust UTD May 25, 1995 (Nottingham Trust). SWN 03H03 and APN 230-0-061-010 (225 acres) are owned by RND Camarillo Ranch Partnership, which was reorganized in 2019 to become R.N. Daily Ranch, LLC (Daily Ranch). Daily Ranch is managed by Adele Poliquin. Ms. Nottingham is the mother of Ms. Poliquin.

Sometime in 2017, SWN 03H02 failed. In October 2018, Daily Ranch, which owns the parcel without the original well (SWN 03H02), prepared and submitted FCGMA Water Well Permit Application No. 0272 (Application No. 0272), which sought a permit to drill a well on APN 230-0-061-010, the parcel owned by Daily Ranch rather than the Nottingham Trust, to replace 03H02 (see Exhibit 17B). Application No. 0272 included a letter of support from the attorney representing the Nottingham Trust, which owns APN 230-0-061-090 and SWN 03H02, and acknowledged the understanding that the new well (SWN 03H03) would continue to serve both parcels (see Exhibit 17B).

Application No. 0272, which authorized the drilling of the replacement well (SWN 03H03), was approved with several conditions. Condition No. 2 required the operator to report groundwater extractions under the same CombCode as the original well (SWN 03H02) to ensure that the Agency properly tracked the allocation transfer in process and accounted for the well's production (see Exhibit 17B.) Unfortunately, Daily Ranch failed to observe this condition and instead reported extractions from SWN 03H03 under a new CombCode. In June 2020, Daily Ranch staff acknowledged that they changed CombCodes and that it had been reporting extractions from SWN 03H03 in violation of Condition No. 2 of Application No. 0272 since the well began operating in early 2019 until the CombCodes for the wells were correctly assigned starting Water Year 2020-2021: "We apologize for this error. We reviewed the well permit and see that we were supposed to keep the same comb code. When we completed the Fox Canyon registration form we left it blank instead of putting the OVP-OTR comb code so we ended up with a new comb code." (Exhibit 17C; see also Exhibit 17D). This error – the reporting of extractions under the wrong CombCode – resulted in the CombCode, RNDCAM, being assigned an initial allocation of 0.000 AF for WY 2020/2021 under the OPV Allocation Ordinance (Exhibit 17E).Once the issue was identified and corrected, SWN 03H03 extractions were reported under the same CombCode as SWN 03H02 ensuring that the CombCode had an allocation which was still under the original well. Thereafter, although Application No. 0272 never transferred the extraction allocation from the original well, SWN 03H02, to the

replacement well, SWN 03H03, because the wells were registered under the same CombCode and delivered water to both parcels, the CombCode was able to operate with an allocation which technically was with 03H02 (see Exhibit 17F). Notwithstanding the ability to operate the replacement well, SWN 03H03, Daily Ranch staff acknowledged that the extraction allocation remained with the original well, SWN 03H02: "The allocation for the RN Daily Ranch is on the destroyed well 01N21W03H02 with comb code of OVP-OTR." (Exhibit 17C.)

Agency Ordinance Requirements

On October 23, 2019, your Board adopted the OPV Allocation Ordinance, which transitioned the Agency from its previous allocation ordinances to a new ordinance to advance the Agency's sustainable management of the Oxnard and Pleasant Valley Groundwater Basins (OPV Basins) in accordance with the requirements of the Sustainable Groundwater Management Act (SGMA). Among other things, the OPV Allocation Ordinance sets new extraction allocations for operators in the OPV Basins; these new extraction allocations are based on operators' historical extractions during the 2005 through 2014. The OPV Allocation Ordinance includes provisions that allow for the transfer of extraction allocations; these provisions supersede conflicting transfer provisions or requirements in the FCGMA Agency Ordinance Code. (See OPV Allocation Ordinance, § 9.1.) In pertinent part, the OPV Allocation Ordinance provides:

> [T]ransfers or temporary assignments of extraction allocation are authorized provided the Agency finds that it does not impede achievement of the sustainability goals of the groundwater sustainability plan and would not be detrimental to an Agency-approved water market. In making this determination, the Agency shall, at a minimum, consider the location of the extraction facilities, the total quantity of groundwater extracted in any year, groundwater quality impacts of the transfer, and whether the proposed transfer or temporary assignment could be approved under an Agency-approved water market. *Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal.* To ensure consistency with the sustainability goals of the groundwater sustainability plan, transfers and temporary assignments of an extraction allocation shall be subject to conditions as determined by the Executive Officer. A temporary assignment of allocation shall not exceed one year.
>
> (OPV Allocation Ordinance, § 9.2 (emphasis added).)

Although the OPV Allocation Ordinance's transfer provisions supersede conflicting Agency Ordinance Code provisions (see OPV Allocation Ordinance, § 9.1), the OPV Allocation Ordinance and the Agency Ordinance Code both require that the requested transfer be submitted "jointly" by the parties involved (i.e., owners and operators) and "include the specific details of their proposal." (OPV Allocation Ordinance, § 9.2; Agency Ordinance Code, § 5.3.5.)

In addition to the OPV Allocation Ordinance, *An Emergency Ordinance Limiting Extractions From Groundwater Extraction Facilities, Suspending Use of Credits and Prohibiting Construction of Any Groundwater Extraction Facility and/or the Issuance of Any Permit Therefor* (Emergency Ordinance E) also contains rule and regulations for allocation transfers. Although the OPV Allocation Ordinance supersedes any conflicting provision in Emergency Ordinance E, those provisions of Emergency Ordinance E that do not conflict with the OPV Allocation Ordinance remain in effect because Emergency Ordinance E has not been repealed. Consequently, the transfer requirements of Emergency Ordinance E remain in effect to the extent they do not conflict within the transfer requirements of the OPV Allocation Ordinance. In pertinent part, Emergency Ordinance E provides:

> The Board prohibits the issuance of any permit for construction of a groundwater extraction facility, other than a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater, within the territory of the Agency….[A] new or increased use is one that did not exist or occur before the effective date of this emergency ordinance. The Board may grant exceptions to the prohibition set forth in this Article 4 on a case-by-case basis. Applications for exceptions shall conform to the requirements of Section 5.2.2.3 of the Agency Ordinance Code and will be approved only if the Borad makes the findings set forth in Section 5.2.2.4 of the Agency Ordinance Code.
>
> (Emergency Ordinance E, Art. 4.)

Accordingly, in addition to the transfer requirements specified in the OPV Allocation Ordinance, Emergency Ordinance E additionally limits construction of new wells to "replacement, backup, or standby" wells that does not result in "the initiation of any new or increased use of groundwater…" (Emergency Ordinance E, Art. 4.)

Agency Review; Interim Executive Officer's Decision

Application No. 0309, which seeking to drill a new well to replace both SWN 03H02 and SWN 03H03, was denied because it failed to satisfy the transfer requirements of both the OPV Allocation Ordinance and Emergency Ordinance E.

The OPV Allocation Ordinance requires: "Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal." (OPV Allocation Ordinance, § 9.2.) As explained above, the allocation is currently assigned to the original well, SWN 03H02, which is located on the 50-acre parcel owned by the Nottingham Trust but failed sometime in 2017/2018. Although the allocation was never properly transferred from SWN 03H02 to SWN 03H03, the Agency has allowed extractions to occur at SWN 03H03, which is located on the 225-acre parcel owned by Daily Ranch because they are operated under the same CombCode. But Application No. 0309, which would result in the drilling of a new well to replace now-failed SWN 03H03, was submitted only by Daily Ranch. The Nottingham Trust did not agree or consent to Daily Ranch submitting an application to transfer the allocation currently assigned to SWN 03H02. In 2020, email communications

between Agency staff and counsel for the Nottingham Trust, as well as between Agency staff and Daily Ranch staff, indicated all parties were aware of the need to complete the allocation transfer form (Exhibit 17G) in order to complete the application and effectuate the transfer of allocation from SWN 03H02 to 03H03. In this communication, counsel for the Nottingham Trust represented that their client was waiting for a well sharing agreement to be in place before initiating the allocation transfer(Exhibit 17G). The Agency is not aware of any well sharing agreement being finalized between the parties, and it has not been provided an executed copy of any such well sharing agreement. Nor is the Agency aware of any agreement by the Nottingham Trust authorizing the filing of Application No. 0309 or approving the transfer of allocation from SWN 03H02 to a new replacement well. In the absence of Nottingham Trust's joinder in the submission of Application No. 0309, the Interim Executive Officer denied the application because it failed to satisfy the requirements of Section 9.2 of the OPV Allocation Ordinance, specifically that "[r]equests for transfer or temporary assignment of extraction allocations…be submitted jointly by the operators and owners involved and shall include the specific details of their proposal."

In addition, the Interim Executive Officer denied Application No. 0309 because it did not satisfy the requirements of Emergency Ordinance E. As explained above, Emergency Ordinance E "prohibits the issuance of any permit for construction of a groundwater extraction facility" except "a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater[.]" (Emergency Ordinance E, Art. 4.) For purpose of this article, "a new or increased use is one that did not exist or occur before the effective date of this emergency ordinance." (Emergency Ordinance E, Art. 4.) It is unclear whether Application No. 0309 and the operation of a new well would increase extractions above the levels that previously occurred at SWN 03H02 and SWN 03H03 or that extractions would be used for a something other than agricultural use on the two parcels. But because the application proposes transferring an allocation to a new replacement well that did not exist on a different parcel before Emergency Ordinance E, the Interim Executive Officer also denied Application No. 0309 for failing to satisfy the requirements of Article 4 of Emergency Ordinance E.

It is worth noting that there appears to be a dispute between the parties involved, the Nottingham Trust and Daily Ranch. As explained above, in June 2020, counsel for the Nottingham Trust explained that his client was waiting for a well-sharing agreement to be prepared; however, FCGMA has not received any such agreement, or the "specific details of [the parties'] proposal" for the drilling of new replacement well and delivery of water among the two parcels. (OPV Allocation Ordinance, § 9.2.) Additionally, a quick review of the Ventura County Superior Court's civil dockets reveals that Noel Nottingham Daily (trustee of the Nottingham Trust which owns the 50-acre parcel APN 230-0-061-090 where SWN 03H02 is located) is in a probate dispute with her daughter Adele Poliquin (which manages RN Daily Ranch, LLC which owns the 225-acre parcel APN 230-0-061-010 where the new replacement well would be located) (see Exhibit 17H). It is unclear whether ownership of the original well SWN 03H02, and/or the authority to transfer an extraction allocation, is at issue in this dispute.

CONCLUSION:
In light of the above, it is recommended your Board (1) Conduct a hearing on Daily Ranch's appeal of the Interim Executive Officer's denial of Application No. 0309; (2) Affirm the Interim Executive Officer's denial of Application No. 0307; (3) Direct Agency Counsel to prepare a written decision affirming the denial of Application No. 0309 consistent with your Board's direction; and (4) Continue this hearing until the June 25, 2025 FCGMA Board meeting, where your Board can adopt a final written decision on Daily Ranch's appeal.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-2064.

Sincerely,

Kudzai Farai Kaseke (Ph.D., PH, PMP, CSM)
Assistant Groundwater Manager

Attachments:

Exhibit 17A - FCGMA Well Permit No. 0309 and Denial Letters
Exhibit 17B – FCGMA Well Permit No. 0272 and Approval Letters
Exhibit 17C – Email from RN Daily Staff
Exhibit 17D – SAES Reporting 03H02 in Violation of Permit No. 0272
Exhibit 17E – RNDCAM 2021-2 SAES without 03H02
Exhibit 17F – RNDCAM SAES with 03H02 and Allocation
Exhibit 17G – Emails from Nottingham Trust Counsel, FCGMA and RN Daily
Exhibit 17H – RN Daily Trust vs Nottingham Trust Case Summary
Exhibit 17I – Letter from Gary Arnold to FCGMA Board, June 4, 2025
Exhibit 17J – Public Notice of Hearing and Example Email Reminder

NOTE:
Access the original Exhibits attached to this June 13, 2025 Board Item 17 under the "Item Attachments" drop-down menu at: https://ventura.primegov.com/portal/item?id=276124

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September 8, 2025

VIA FEDERAL EXPRESS

Fox Canyon Groundwater Management Agency
Attn: Board of Directors
800 South Victoria Avenue
Ventura, CA 93009-1610

Re: Appeal of Well Application No. 0309

Dear FCGMA:

R.N. Daily Ranch, LLC ("Daily Ranch") submits this supplemental letter brief in support of its appeal from the denial of Application No. 0309 ("Application 0309") to drill a replacement well (for convenience called "Well H04") on the 225 acre parcel of prime agricultural land owned solely by Daily Ranch known as APN 230-0-061-010 ("P225"). Noel Nottingham Daily, Trustee of the Daily Marital Trust UTD May 25, 1995 ("Noel") manages the 50 acre parcel of agricultural land known as APN 230-0-061-090 ("P50"), which is immediately adjacent to and westerly of P225.

The appeal concerns that certain water well known as State Well #01N21W03H02 ("Well H02") that was drilled on P50 in or about 2002. Well H02 failed and was properly abandoned and sealed on December 20, 2018. RND Camarillo Ranch Partnership, the predecessor of Daily Ranch, was granted an approval by the Fox Canyon Groundwater Management Agency ("FCGMA") to drill State Well #001N21W03H03 ("Well H03") on P225, as an express replacement water well for Well H02. Well H03 failed in 2024 and is no longer operational, thereby depriving both P50 and 0225 of adequate irrigation water to farm both properties contained 275 acres of land.

On January 23, 2025, Daily Ranch submitted Application 0309 to drill Well H04, as a replacement for Well H03. On February 5, 2025, the FCGMA, acting through its Interim Executive Officer, Arne Anselm, denied Application 0309 ("Denial Letter"). FCGMA staff submitted its staff report at the first hearing on the Appeal ("Staff Report") citing certain items, which in Staff's view, precluded the issuance of the permit to drill Well H04. This letter will summarize some of Staff's findings, and Daily Ranch's response to the assertions made in the Staff Report.

KENDALL A. VANCONAS* | SUSAN L. MCCARTHY | DENNIS P. MCNULTY | EMILY WHITE

OF COUNSEL GARY D. ARNOLD | DENNIS O. LAROCHELLE

MARK A. ZIRBEL (RETIRED) | JOHN M. MATHEWS (DECEASED)

*Certified Specialist, Estate Planning, Trust & Probate Law
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- Emergency Ordinance E, Article 4 prohibits the issuance of any permit for the construction of a groundwater extraction facility, other than a replacement, back up or standby facility, which does not allow the initiation of any new or increased use of groundwater. It states that a "new or increased use is one that did not exist or occur before for the effective date of the Emergency Ordinance.

    - FCGMA staff argues that these statements prohibit the drilling of H04 because its use did not exist or occur before the effective date of the Emergency Ordinance. Article 4 expressly allows the drilling of replacement wells.

    - The use of water from Well H04 for the benefit of both P50 and P225 will not result in a new or increased use that did not exist before the adoption of Emergency Ordinance E.

- The staff report at page 5 suggests that Article 4 of Emergency Ordinance E might also prevent the replacement well because, according to staff: "it is unclear whether application number 0309 and the operation of a new well would increase extraction above the levels that previously occurred at Well H02 and Well H03 or that extractions would be used for something other than agricultural use on the two parcels.

    - Daily Ranch has already affirmed that allowable extractions would not be increased beyond the limits set forth in the new allocation ordinance.

    - The FCGMA could also condition its approval to confirm the same.

- Attached as Exhibit 17G is a string of emails among Roy Schneider, Beverly Gutierrez and Kathleen Riedel dating back to June, 2020 in which there are various statements about whether an application to transfer extraction allocations was required in order to drill Well H03 as a replacement well for Well H02.

    - Kathleen Riedel in her email of June 25 does indicate that if both wells are operated under the same CombCode, then no transfer of allocation is needed.

    - In an email from Kathleen Riedel to Beverly Gutierrez on June 25, 2020, she states that the June 30 date referenced in Section 11.7 of the Allocation Ordinance applies to variances, but transfers of allocation can occur after June 30.

- Kathleen again confirmed that if both wells are operated under the same CombCode, then no transfer of allocation is needed. Since Well H02 had failed, it was obvious that "both" wells would be operated under the same CombCode.

- Kathleen Riedel states again on June 26 that the June 30 date does not apply to combining of two wells onto one CombCode.

- On June 26, 2020, Roy Schneider also sends an email to Kathleen Riedel in which he states: "the parties may be moving forward with a well sharing agreement and the owner of the destroyed well, situated on a separate parcel from the one where the well now sits, would like to have that in place before transferring the allocation.

    - Everyone admits and acknowledges the water extracted from Well H02 and Well H03 was used to irrigate both P50 and P225.

    - Daily Ranch has repeatedly advised Noel and FCGMA that the operation of Well H04 would be equitably shared between P50 and P225, based on the relative acreage contained in each parcel.

    - Water rights attach to the land, not to a particular well. P225 has established its own legal right to a portion of the FCGMA allocation, at least equal to 225/275ths (or 81.82%) of the extraction allocation, regardless of any execution of a transfer application.

    - Daily Ranch should not have to wait for the completion of the pending water adjudication lawsuit to verify that it is entitled to equitable share of the allocation.

    - Note further that the entire FCGMA allocation ordinance will be replaced by the court's judgment.

- In an email from Beverly Gutierrez to the FCGMA on June 19, 2020, she stated that the allocation for the Daily Ranch is on the destroyed well 01N21W03H02 ("Well H02"), with the CombCode of OVP-OTR. The new well is 01N21W03H03 ("Well H03") bearing CombCode RNDCAM. Beverly apologized for the error and asked to combine the CombCodes.

    - There were several reasons for Beverly's email.

    - First, she was cooperating with FCGMA staff to get permission to drill Well H03 because of the failure of Well H02 and could not afford any delays because of the loss of rental income.

- Second, she wanted to make sure that the extraction allocation previously granted to Well H02 could be transferred, in whole or part, to Well H03 after June 30, 2020.

- Third, the reporting of extractions under either or both CombCodes were irrelevant to the Daily family since both parcels had been jointly farmed for many years, and would continue to be so.

- Section 9.2 of the new allocation ordinance stated that requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include specific details of their proposal.

    - The prior Ordinance required FCGMA to issue an allocation of Well H03 at the time it was drilled. In granting its permission to drill Well H03, it at least impliedly, if not expressly, granted an allocation to Well H03.

    - The Conditional Approval by the FCGMA for Well H03 on October 29, 2018 did not require an allocation transfer. FCGMA implicitly acknowledged that Well H03 had an allocation by allowing extractions from Well H03 for approximately 6 years after it was drilled. The Conditional Approval only required that extractions from Well H02 (which had failed) and Well H03 be reported under the same CombCode.

    - The new Allocation Ordinance took effect after Well H03 had already been drilled.

    - What happens if the one owner (Noel), with the failed water well, refuses to cooperate with his or her neighbor (Daily Ranch) who had relied on the jointly owned/used water well for years? This administrative rule would arbitrarily give the first owner the practical ability to demand unreasonable concessions from the neighbor. Would the FCGMA really require the parties to sue each other even though there is an obvious equitable sharing of the allocation between 2 parcels?

- FCGMA staff admits that it allowed extractions to occur from Well H03 because it was operated under the same CombCode, but then Staff argues that Noel did not agree or consent to the application of Daily Ranch to drill Well H04.

    - Adele Poliquin dated and signed an application for a Well Permit with the County of Ventura dated July 13, 2018. Attached to that application is a specific consent signed by Noel Daily which states: “On behalf of the Daily Family Trust, the owner of assessor‘s parcel number 230-0-061-090, I hereby consent to the foregoing acknowledgment and support the drilling of a <u>replacement</u> well on Assessor‘s parcel number 230-0-061-010 which will serve both parcels”.

- Noel further expressly consented in writing to the combination of CombCode OVP-OTR and CombCode RNDCAM.

- On October 4, 2018, Roy Schneider, the attorney for Noel, expressly acknowledges and supported the drilling of the replacement well on the Daily Ranch property known as Well H03. He states that the original well and the contemplated replacement well has and will continue to serve both parcels.

- Staff's argument runs afoul of common sense. Well H04 cannot be a replacement for Well H02, since that well was already replaced by Well H03.

- FCGMA staff has also raised and noted the probate litigation between Noel and Adele.

  - While there are some public records regarding the litigation, none of those issues should be considered by the directors of FCGMA, or staff in considering the application to drill the replacement water well.

  - The only issue to be resolved is whether Daily Ranch has submitted a proper application to drill a replacement well and has demonstrated that it actually has the necessary extraction allocations to support the extractions from Well H04.

  - Daily Ranch continues to offer and will confirm that Noela and P50 is entitled to 18.12% of the extractions from Well H04, equivalent to 50/275ths.

In summary, FCGMA's Staff relies upon a single sentence from Section 9.1 of the Allocation Ordinance, adopted after Well H03 was drilled as a replacement of Well H02, which states that "Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal". Despite dozens of requests since 2020 from Daily Ranch, and its representatives, for Noel to confirm the equitable sharing of the extraction allocations, she and her lawyers have refused to cooperate or sign the one (1) form requested by FCGMA. However, Noel and/or her lawyers have signed, stated and confirmed all of the following:

July 13, 2018. Noel Daily signs a consent to support the drilling of a replacement well on Assessor's parcel number 230-0-061-010 which will serve both parcels.

October 4, 2018: Legal counsel for Noel expressly consented to the drilling of Well H03, as a replacement for the failed Well H02 on P50.

June 29, 2020: Noel signed authorizations for the merger of two (2) CombCodes OVP-OTR and RNDCAM into one (1) CombCode, RNDCAM in connection with Well H03.

June 30, 2020: Noel signed authorizations for the merger of two (2) CombCodes OVP-OTR and RNDCAM into one (1) CombCode, RNDCAM in connection with Well H03.

July 31, 2023: Noel again confirmed in writing that the prior CombCode of OVT-OTR was merged into and became RMDCAM.

Daily Ranch has submitted overwhelming evidence that Staff and the FCGMA itself have recognized and allowed extraction allocations from Well H03, without the allegedly required signing of the allocation transfer form. Such extractions have occurred since the drilling and operation of Well H03 in 2018 without objection for over 6 years, until the present application was filed to drill a new replacement well.

Given the years and years of compliance with the Conditional Approval in 2018 and the subsequent rules and regulations of the FCGMA by Daily Ranch, it is improper for staff to rely upon a technical omission to deny the right of Daily Ranch to drill a replacement well. Well H03 is located on P225. Well H04 will replace Well H03, and not Well H02. Daily Ranch has, and hereby does again confirm, that (a) extractions from Well H04 will be used for the benefit of both P50 and P225 (b) all extractions will be reported under the same CombCode and (c) the total extractions will be consistent with the extraction allocations issued to Well H03 solely for agricultural purposes.

Very truly yours,

ARNOLD LAROCHELLE MATHEWS
VANCONAS & ZIRBEL LLP

/s/ Gary D. Arnold

Gary D. Arnold

GDA:
Cc: Daily Ranch (via Email)
Beverly Gutierrez (via Email)

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September 12, 2025

VIA FEDERAL EXPRESS

Fox Canyon Groundwater Management Agency
Attn: Board of Directors
800 South Victoria Avenue
Ventura, CA 93009-1610

Re: Opposition to Appeal of Well Application No. 0309

Dear Members of the Board:

Please be advised I represent Noel Nottingham Daily, Trustee of the Daily Marital Trust UTD May 25, 1995 ("Noel"). Noel submits this response opposing the appeal filed by R.N. Daily Ranch, LLC ("Daily Ranch") from the denial of Application No. 0309 ("Application 0309"). For the reasons set forth below, the Board should affirm the denial.

I. No Vested Right Was Ever Created

Well 01N21W03H02S ("Well H02") was located on APN 230-0-061-090 ("P50"), property owned by Noel. Daily Ranch does not own P50 and never held the allocation attached to Well H02. Any use of Well H03 by P225 and Daily Ranch was by virtue of a temporary assignment or neighborly arrangement—not a vested or transferable right recognized by Fox Canyon Groundwater Management Agency (the "Agency"). When Well H03 failed the associated extraction allocation reverted to P50. Nothing in the Agency's rules converts a temporary assignment or a well-sharing arrangement into a permanent right for the benefit of another parcel.

II. Emergency Ordinance E Strictly Limits Replacement Wells

Article 4 of Emergency Ordinance E prohibits "the issuance of any permit for construction of a groundwater extraction facility, other than a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater within the territory of the Agency." It further provides: "For the purpose of this Article 4, a 'new or increased use' is one that did

not exist or occur before the effective date of this emergency ordinance."

Because P225 never held a valid allocation associated with Well H02, approval of Application 0309 would effectively create a new use for that parcel rather than replace an existing lawful allocation. That is exactly what Article 4 forbids. As Daily Ranch's own representative Gary Arnold has stated, Well H03 is non-operational. Under the Agency's rules, when a replacement well ceases to operate, any temporary assignment of allocation ends. "Historical allocation" is not available for use under Emergency Ordinance E; it only permitted the new well from H02 to H03 as a replacement, not as a permanent transfer of allocation to a different parcel.

III. Allocation Remains with Well 01N21W03H02S

Under An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins (the "OPV Allocation Ordinance"), allocation is based upon reported extractions during the Base Period. Well H02 holds the allocation because the Base Period extractions were reported under that well. Well H03 has no allocation under the OPV Allocation Ordinance.

Allocation remains with Well H02 until it is formally transferred pursuant to Article 9 of the OPV Allocation Ordinance. No such transfer has been submitted or approved. A replacement well can be drilled without filing an application to transfer allocation only if it is operated under the same CombCode (the combination of wells operated by the same operator on the same account). That is not the case here.

IV. OPV Allocation Ordinance Does Not Authorize New Use Without Transfer

Since the adoption of Emergency Ordinance E, the Agency has replaced its emergency allocation rules with the OPV Allocation Ordinance. Under the OPV Allocation Ordinance, allocations follow the base-period well until transferred under Article 9. The Ordinance does not authorize a replacement well drilled on a different parcel without a valid transfer, nor does it authorize splitting allocations across CombCodes. Accordingly:

1. Well H03 has no allocation.
2. The allocation associated with Well H02 has never been transferred.
3. Any temporary assignment ended when Well H03 became non-operational.

4. Under both Ordinance E and the OPV Allocation Ordinance, Daily Ranch cannot lawfully extract water from H03 absent a properly approved transfer.

V. No Equitable Sharing Agreement Exists Between P50 and P225

Daily Ranch asserts that water rights "attach to the land" and that P225 has an equitable right to a portion of the allocation. This is incorrect:

1. The Agency administers extraction-based allocations, it does not determine land-based rights. Those allocations are tracked by well number and CombCode and must be transferred under Agency rules.
2. The prior 2024 lessee, Duda, renewed its 2025 lease with P225 but not P50, without explanation or notice. That fact alone shows there is no obvious equitable sharing agreement between the two parcels (it is currently unknown how P225 is currently irrigated).
3. Historic or neighborly usage does not substitute for an Agency-approved transfer or create a permanent right.

Daily Ranch has no court confirmed entitlement to any portion of the allocation attached to H02.

VI. Noel's 2018 Consent Was Context-Specific and Is No Longer Valid

Daily Ranch relies heavily on Noel's 2018 consent to the application for a well permit. That consent was given:

1. At a time when Noel's husband was alive;
2. When P50 and P225 were jointly operated; and
3. Before any litigation between Noel and her daughter Adele Poliquin.

Today the circumstances are entirely different.

1. Noel's husband is dead. Noel and Adele are actively litigating Noel's husband's trust estate in Probate Court;
2. P50 and P225 are no longer jointly operated; and
3. Noel does not agree or consent to Daily Ranch's present application to drill Well H04.

VII. Protecting Existing Landowners' Allocations

Fox Canyon Groundwater Management Agency was created to manage and protect a critically over drafted groundwater basin. Allowing one

landowner to convert a temporary assignment into a permanent right, without a formal transfer approved by the Agency, would undermine the allocation system and erode the rights of all other existing landowners who have relied on the Agency's rules.

Granting Daily Ranch's appeal would reward a gratuitous donee of a temporary privilege with a permanent extraction right that was never purchased, never granted, and never approved under the Agency's transfer procedures. It would also encourage litigation between neighbors rather than compliance with the Agency's ordinances.

VIII. Requests

Consistent with Fox Canyon Groundwater Management Agency's stated policy that it does not split allocations, Noel Daily respectfully requests that the Agency:

1. Affirm the denial of Application No. 0309; and
2. Formally disassociate Well H03 from Well H02's CombCode and confirm that any allocation associated with Well H02 remains with APN 230-0-061-090 unless and until a valid transfer application is submitted and approved under Article 9 of the OPV Allocation Ordinance.

Yours very truly,

David A. Esquibias

Appeal of Interim Executive Officer's Decision to Deny FCGMA Water Well Application No. 0309, R.N. Daily Ranch, LLC

Item No. 19 – September 24, 2025

John Demers
Executive Officer

Background

- All water well permit applications for areas within Agency jurisdiction are reviewed for compliance with applicable codes and ordinances.
- On January 22, 2025, R.N. Daily Ranch, LLC (Daily Ranch) filed an application (No. 309) for a well permit to install a well in the Pleasant Valley Basin, to replace State Well Number (SWN) 01N21W03H03S (03H03).
- SWN 03H03 was drilled as a replacement for a previous well, SWN 01N21W03H02S (03H02).
- SWN 03H03 and SWN 03H02 are on different parcels with different owners.
  - SWN 03H02 and APN 230-0-061-090 (50 acres) are owned by Noel Nottingham Daily (Nottingham Trust).
  - SWN 03H03 and APN 230-0-061-010 (225 acres) are owned by R.N. Daily Ranch, LLC (Daily Ranch).
- When 03H02 failed, Daily Ranch submitted an application (No. 272) in October 2018 for a new well, even though 03H02 was not on their parcel. Nottingham Trust acknowledged that the new well would serve both parcels and endorsed the application.

Background, cont'd.

- The approval of application No. 272 granted by FCGMA for the new well (03H03) included several conditions, including a condition (No. 2) that the new well be operated under the same accounting code ("Combcode") as the original well 03H02.
- Daily Ranch failed to observe this condition and instead reported extractions from SWN 03H03 under a new CombCode.
- In June 2020, Daily Ranch acknowledged that they changed CombCodes and that it had been reporting extractions from SWN 03H03 in violation of Condition No. 2 of Application No. 272 since the well began operating in early 2019.
- This error resulted in the new Combcode being assigned an initial allocation of zero AF/Y.
- Once the error was corrected, SWN 03H03 extractions were reported under the same CombCode as SWN 03H02 ensuring that the CombCode had an allocation which *was still under the original well*.
- FCGMA regulations allow wells within the same CombCode to share an allocation.

Discussion

- The OPV Allocation Ordinance, adopted in October 2019, set new extraction allocations for operators in the OPV Basins based on operators' historical extractions during the 2005 through 2014 Allocation base period.
- The OPV Allocation Ordinance includes provisions that allow for the transfer of extraction allocations.
- Both the OPV Allocation Ordinance and the older Agency Ordinance Code require that the *requested transfer be submitted "jointly" by the parties involved* and "include the specific details of their proposal." (OPV Allocation Ordinance, § 9.2; Agency Ordinance Code, § 5.3.5.)
- FCGMA's Emergency Ordinance E limits construction of new wells to "replacement, backup, or standby" wells that do not result in "the initiation of any new or increased use of groundwater…" (Emergency Ordinance E, Art. 4.).
  - For purpose of this article, "a new or increased use is one that did not exist or occur before the effective date of this emergency ordinance." (Emergency Ordinance E, Art. 4)
  - SWN 03H03 was drilled in late 2018 after Emergency Ordinance E was adopted; SWN 03H03 did not exist during the OPV Allocation base period
  - Extractions from SWN 03H03 would be both a new and increased use of groundwater (Emergency Ordinance E, Art. 4) if not included in the existing CombCode which uses 03H02's allocation

Denial of Permit Application No. 309

- Application No. 272 *never transferred the extraction allocation from the original well,* SWN 03H02, to the replacement well, SWN 03H03, because the wells were registered under the same CombCode, *as a condition of the permit*, and delivered water to both parcels. The CombCode was able to operate with an allocation which was for 03H02. Daily Ranch staff has acknowledged that the allocation was for, and remains with, 03H02, and not with the new well, 03H03.
- OPV Allocation Ordinance, § 9.2, states that "Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved."
- Application No. 309, which would result in the drilling of a new well to replace now-failed SWN 03H03, *was submitted only by Daily Ranch*. The Nottingham Trust did not agree or consent to Daily Ranch submitting an application to transfer the allocation currently assigned to SWN 03H02.
- Staff determined that all parties involved were aware of the requirement for a jointly submitted allocation transfer form, yet no such form ever materialized.
- The Agency determined that approval of application No. 309 would result in the transfer of an allocation for which the owner of that allocation did not provide consent.
- Application No. 309, which seeks to drill a new well to replace SWN 03H03, was denied because it failed to satisfy Agency transfer requirements.

Appeal

- Daily Ranch appealed the denial of Application No. 309 and requested that this appeal be heard by your Board.
- The Appeal was previously heard at an FCGMA Board meeting on June 13, 2025; however, the Board voted two for affirming the denial and two against, with one board member being absent. The tie automatically denied the motion and continued the hearing until a future meeting with all Board members present.
- All parties agreed that the hearing would be conducted at this current Board meeting.

Recommendation

- The Agency is unaware of any change to circumstances which would change the analysis or decision in the previous review which resulted in a denial.
- Counsel for the Nottingham Trust represented that their client was waiting for a well sharing agreement to be in place before initiating the allocation transfer. The Agency is not aware of any well sharing agreement being finalized between the parties, and it has not been provided an executed copy of any such well sharing agreement.
- Agency is not aware of any agreement by the Nottingham Trust authorizing the filing of Application No. 309 or approving the transfer of allocation from SWN 03H02 to a new replacement well.
- Based on the foregoing, staff recommends that the Board affirm the denial.

September 24, 2025, Appeal Hearing (Item 19)

Supplemental Staff Exhibits

01: June 13, 2025, FCGMA Board Letter (6 pages)

02: June 13, 2025, Presentation to the Board (13 pages)

03: Denial Confirmation Correspondence – No. 0309 (31 pages)

04: Approval Confirmation Correspondence – No. 0272 (12 pages)

05: Email from RN Daily Staff (1 page)

06: SAES Reporting 03H02 in Violation of Permit (11 pages)

07: RNDCAM 2021-2 SAES without 03H02 (5 pages)

08: RNDCAM SAES with 03H02 and Allocation (12 pages)

09: Related Correspondence (7 pages)

10: Probate Case Summary, filed 5/20/2022 (12 pages)

11: June 4, 2025, Correspondence to the Board from the Appellant (22 pages)

12: Public Notice Documentation (3 pages)

STAFF EXHIBIT 01

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
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INTERIM EXECUTIVE OFFICER
Jeff Palmer

June 13, 2025

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Public Hearing on Appeal of Interim Executive Officer's Decision to Deny FCGMA Water Well Application No. 0309, R.N. Daily Ranch, LLC [CombCode: RNDCAM] – *(New Item)*

RECOMMENDATIONS: (1) Conduct a hearing on the appeal of R.N. Daily Ranch, LLC (Daily Ranch), from the decision of the Interim Executive Officer to deny FCGMA Water Well Permit Application No. 0309 (Application No. 0309); **(2)** Affirm the Interim Executive Officer's denial of Application No. 0309; **(3)** Direct Agency Counsel to prepare a written decision affirming the denial of Application No. 0309; and **(4)** Continue this hearing until the June 25, 2025 FCGMA Board meeting where a final written decision on Daily Ranch's appeal can be adopted.

BACKGROUND:
Well permit applications for proposed wells in the Pleasant Valley Basin are reviewed for compliance with the Agency Ordinance Code, Emergency Ordinance E, and the OPV Allocation Ordinance. Daily Ranch filed an application for a well permit on January 22, 2025 (see Exhibit 17A), to install a well in the Pleasant Valley Basin, Pumping Trough Management Area, to replace State Well Number (SWN) 01N21W03H03S (03H03). Application No. 0309 is for a new well to replace the two previous wells, SWN 03H02 and SWN 03H03. The original well, SWN 01N21W03H02S (03H02), was operational and reported extractions to the Agency since 2002. This well was also operational during the period 2005 through 2014, which is the base period used in *An Ordinance To Establish An Allocation System For The Oxnard And Pleasant Valley Groundwater Basins* (OPV Allocation Ordinance). As such, SWN 03H02 received a base allocation of 308.627 acre-feet (AF) per year (308.627 AF/year) under the OPV Allocation Ordinance. The replacement well, SWN 03H03, was drilled between December 2018 and January 2019, based on well completion logs, as a replacement for SWN 03H02. However, a valid transfer of the extraction allocation from SWN 03H02 to SWN 03H03 was never completed because the application materials received by the Agency were incomplete and/or did not satisfy the requirements of the Agency's ordinances. Therefore, the Interim Executive Officer denied

FCGMA Water Well Permit Application No. 0309, and SWN 03H02 retains the total amount of the current extraction allocation (Exhibit 17A).

DISCUSSION

Well History

In order to understand this appeal, the history of the two previous wells must be understood. SWN 03H02 and SWN 03H03 are located on different parcels, APN: 230-0-061-090 (P50) and APN: 9230-0-061-010 (P225), respectively. The two wells have never been operated at the same time because SWN 03H03 was drilled as a replacement for SWN 03H02. However, each well was drilled with the condition that it supplies water to both parcels.

SWN 03H02 and APN 230-0-061-090 (50 acres) are owned by Noel Nottingham Daily, Trustee of the Daily Marital Trust UTD May 25, 1995 (Nottingham Trust). SWN 03H03 and APN 230-0-061-010 (225 acres) are owned by RND Camarillo Ranch Partnership, which was reorganized in 2019 to become R.N. Daily Ranch, LLC (Daily Ranch). Daily Ranch is managed by Adele Poliquin. Ms. Nottingham is the mother of Ms. Poliquin.

Sometime in 2017, SWN 03H02 failed. In October 2018, Daily Ranch, which owns the parcel without the original well (SWN 03H02), prepared and submitted FCGMA Water Well Permit Application No. 0272 (Application No. 0272), which sought a permit to drill a well on APN 230-0-061-010, the parcel owned by Daily Ranch rather than the Nottingham Trust, to replace 03H02 (see Exhibit 17B). Application No. 0272 included a letter of support from the attorney representing the Nottingham Trust, which owns APN 230-0-061-090 and SWN 03H02, and acknowledged the understanding that the new well (SWN 03H03) would continue to serve both parcels (see Exhibit 17B).

Application No. 0272, which authorized the drilling of the replacement well (SWN 03H03), was approved with several conditions. Condition No. 2 required the operator to report groundwater extractions under the same CombCode as the original well (SWN 03H02) to ensure that the Agency properly tracked the allocation transfer in process and accounted for the well's production (see Exhibit 17B.) Unfortunately, Daily Ranch failed to observe this condition and instead reported extractions from SWN 03H03 under a new CombCode. In June 2020, Daily Ranch staff acknowledged that they changed CombCodes and that it had been reporting extractions from SWN 03H03 in violation of Condition No. 2 of Application No. 0272 since the well began operating in early 2019 until the CombCodes for the wells were correctly assigned starting Water Year 2020-2021: "We apologize for this error. We reviewed the well permit and see that we were supposed to keep the same comb code. When we completed the Fox Canyon registration form we left it blank instead of putting the OVP-OTR comb code so we ended up with a new comb code." (Exhibit 17C; see also Exhibit 17D). This error – the reporting of extractions under the wrong CombCode – resulted in the CombCode, RNDCAM, being assigned an initial allocation of 0.000 AF for WY 2020/2021 under the OPV Allocation Ordinance (Exhibit 17E).Once the issue was identified and corrected, SWN 03H03 extractions were reported under the same CombCode as SWN 03H02 ensuring that the CombCode had an allocation which was still under the original well. Thereafter, although Application No. 0272 never transferred the extraction allocation from the original well, SWN 03H02, to the

replacement well, SWN 03H03, because the wells were registered under the same CombCode and delivered water to both parcels, the CombCode was able to operate with an allocation which technically was with 03H02 (see Exhibit 17F). Notwithstanding the ability to operate the replacement well, SWN 03H03, Daily Ranch staff acknowledged that the extraction allocation remained with the original well, SWN 03H02: "The allocation for the RN Daily Ranch is on the destroyed well 01N21W03H02 with comb code of OVP-OTR." (Exhibit 17C.)

Agency Ordinance Requirements

On October 23, 2019, your Board adopted the OPV Allocation Ordinance, which transitioned the Agency from its previous allocation ordinances to a new ordinance to advance the Agency's sustainable management of the Oxnard and Pleasant Valley Groundwater Basins (OPV Basins) in accordance with the requirements of the Sustainable Groundwater Management Act (SGMA). Among other things, the OPV Allocation Ordinance sets new extraction allocations for operators in the OPV Basins; these new extraction allocations are based on operators' historical extractions during the 2005 through 2014. The OPV Allocation Ordinance includes provisions that allow for the transfer of extraction allocations; these provisions supersede conflicting transfer provisions or requirements in the FCGMA Agency Ordinance Code. (See OPV Allocation Ordinance, § 9.1.) In pertinent part, the OPV Allocation Ordinance provides:

> [T]ransfers or temporary assignments of extraction allocation are authorized provided the Agency finds that it does not impede achievement of the sustainability goals of the groundwater sustainability plan and would not be detrimental to an Agency-approved water market. In making this determination, the Agency shall, at a minimum, consider the location of the extraction facilities, the total quantity of groundwater extracted in any year, groundwater quality impacts of the transfer, and whether the proposed transfer or temporary assignment could be approved under an Agency-approved water market. *Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal.* To ensure consistency with the sustainability goals of the groundwater sustainability plan, transfers and temporary assignments of an extraction allocation shall be subject to conditions as determined by the Executive Officer. A temporary assignment of allocation shall not exceed one year.
>
> (OPV Allocation Ordinance, § 9.2 (emphasis added).)

Although the OPV Allocation Ordinance's transfer provisions supersede conflicting Agency Ordinance Code provisions (see OPV Allocation Ordinance, § 9.1), the OPV Allocation Ordinance and the Agency Ordinance Code both require that the requested transfer be submitted "jointly" by the parties involved (i.e., owners and operators) and "include the specific details of their proposal." (OPV Allocation Ordinance, § 9.2; Agency Ordinance Code, § 5.3.5.)

In addition to the OPV Allocation Ordinance, *An Emergency Ordinance Limiting Extractions From Groundwater Extraction Facilities, Suspending Use of Credits and Prohibiting Construction of Any Groundwater Extraction Facility and/or the Issuance of Any Permit Therefor* (Emergency Ordinance E) also contains rule and regulations for allocation transfers. Although the OPV Allocation Ordinance supersedes any conflicting provision in Emergency Ordinance E, those provisions of Emergency Ordinance E that do not conflict with the OPV Allocation Ordinance remain in effect because Emergency Ordinance E has not been repealed. Consequently, the transfer requirements of Emergency Ordinance E remain in effect to the extent they do not conflict within the transfer requirements of the OPV Allocation Ordinance. In pertinent part, Emergency Ordinance E provides:

> The Board prohibits the issuance of any permit for construction of a groundwater extraction facility, other than a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater, within the territory of the Agency….[A] new or increased use is one that did not exist or occur before the effective date of this emergency ordinance. The Board may grant exceptions to the prohibition set forth in this Article 4 on a case-by-case basis. Applications for exceptions shall conform to the requirements of Section 5.2.2.3 of the Agency Ordinance Code and will be approved only if the Borad makes the findings set forth in Section 5.2.2.4 of the Agency Ordinance Code.
>
> (Emergency Ordinance E, Art. 4.)

Accordingly, in addition to the transfer requirements specified in the OPV Allocation Ordinance, Emergency Ordinance E additionally limits construction of new wells to "replacement, backup, or standby" wells that does not result in "the initiation of any new or increased use of groundwater…" (Emergency Ordinance E, Art. 4.)

Agency Review; Interim Executive Officer's Decision

Application No. 0309, which seeking to drill a new well to replace both SWN 03H02 and SWN 03H03, was denied because it failed to satisfy the transfer requirements of both the OPV Allocation Ordinance and Emergency Ordinance E.

The OPV Allocation Ordinance requires: "Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal." (OPV Allocation Ordinance, § 9.2.) As explained above, the allocation is currently assigned to the original well, SWN 03H02, which is located on the 50-acre parcel owned by the Nottingham Trust but failed sometime in 2017/2018. Although the allocation was never properly transferred from SWN 03H02 to SWN 03H03, the Agency has allowed extractions to occur at SWN 03H03, which is located on the 225-acre parcel owned by Daily Ranch because they are operated under the same CombCode. But Application No. 0309, which would result in the drilling of a new well to replace now-failed SWN 03H03, was submitted only by Daily Ranch. The Nottingham Trust did not agree or consent to Daily Ranch submitting an application to transfer the allocation currently assigned to SWN 03H02. In 2020, email communications

between Agency staff and counsel for the Nottingham Trust, as well as between Agency staff and Daily Ranch staff, indicated all parties were aware of the need to complete the allocation transfer form (Exhibit 17G) in order to complete the application and effectuate the transfer of allocation from SWN 03H02 to 03H03. In this communication, counsel for the Nottingham Trust represented that their client was waiting for a well sharing agreement to be in place before initiating the allocation transfer(Exhibit 17G). The Agency is not aware of any well sharing agreement being finalized between the parties, and it has not been provided an executed copy of any such well sharing agreement. Nor is the Agency aware of any agreement by the Nottingham Trust authorizing the filing of Application No. 0309 or approving the transfer of allocation from SWN 03H02 to a new replacement well. In the absence of Nottingham Trust's joinder in the submission of Application No. 0309, the Interim Executive Officer denied the application because it failed to satisfy the requirements of Section 9.2 of the OPV Allocation Ordinance, specifically that "[r]equests for transfer or temporary assignment of extraction allocations…be submitted jointly by the operators and owners involved and shall include the specific details of their proposal."

In addition, the Interim Executive Officer denied Application No. 0309 because it did not satisfy the requirements of Emergency Ordinance E. As explained above, Emergency Ordinance E "prohibits the issuance of any permit for construction of a groundwater extraction facility" except "a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater[.]" (Emergency Ordinance E, Art. 4.) For purpose of this article, "a new or increased use is one that did not exist or occur before the effective date of this emergency ordinance." (Emergency Ordinance E, Art. 4.) It is unclear whether Application No. 0309 and the operation of a new well would increase extractions above the levels that previously occurred at SWN 03H02 and SWN 03H03 or that extractions would be used for a something other than agricultural use on the two parcels. But because the application proposes transferring an allocation to a new replacement well that did not exist on a different parcel before Emergency Ordinance E, the Interim Executive Officer also denied Application No. 0309 for failing to satisfy the requirements of Article 4 of Emergency Ordinance E.

It is worth noting that there appears to be a dispute between the parties involved, the Nottingham Trust and Daily Ranch. As explained above, in June 2020, counsel for the Nottingham Trust explained that his client was waiting for a well-sharing agreement to be prepared; however, FCGMA has not received any such agreement, or the "specific details of [the parties'] proposal" for the drilling of new replacement well and delivery of water among the two parcels. (OPV Allocation Ordinance, § 9.2.) Additionally, a quick review of the Ventura County Superior Court's civil dockets reveals that Noel Nottingham Daily (trustee of the Nottingham Trust which owns the 50-acre parcel APN 230-0-061-090 where SWN 03H02 is located) is in a probate dispute with her daughter Adele Poliquin (which manages RN Daily Ranch, LLC which owns the 225-acre parcel APN 230-0-061-010 where the new replacement well would be located) (see Exhibit 17H). It is unclear whether ownership of the original well SWN 03H02, and/or the authority to transfer an extraction allocation, is at issue in this dispute.

CONCLUSION:
In light of the above, it is recommended your Board (1) Conduct a hearing on Daily Ranch's appeal of the Interim Executive Officer's denial of Application No. 0309; (2) Affirm the Interim Executive Officer's denial of Application No. 0309; (3) Direct Agency Counsel to prepare a written decision affirming the denial of Application No. 0309 consistent with your Board's direction; and (4) Continue this hearing until the June 25, 2025 FCGMA Board meeting, where your Board can adopt a final written decision on Daily Ranch's appeal.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-2064.

Sincerely,

Kudzai Farai Kaseke (Ph.D., PH, PMP, CSM)
Assistant Groundwater Manager

Attachments:

Exhibit 17A - FCGMA Well Permit No. 0309 and Denial Letters
Exhibit 17B – FCGMA Well Permit No. 0272 and Approval Letters
Exhibit 17C – Email from RN Daily Staff
Exhibit 17D – SAES Reporting 03H02 in Violation of Permit No. 0272
Exhibit 17E – RNDCAM 2021-2 SAES without 03H02
Exhibit 17F – RNDCAM SAES with 03H02 and Allocation
Exhibit 17G – Emails from Nottingham Trust Counsel, FCGMA and RN Daily
Exhibit 17H – RN Daily Trust vs Nottingham Trust Case Summary
Exhibit 17I – Letter from Gary Arnold to FCGMA Board, June 4, 2025
Exhibit 17J – Public Notice of Hearing and Example Email Reminder

STAFF EXHIBIT 02

Public Hearing on Appeal of Interim Executive Officer's Decision to Deny FCGMA Water Well Application No. 0309, R.N. Daily Ranch, LLC [CombCode: RNDCAM]

Item No. 17 – June 13, 2025

Farai Kaseke (Ph.D., P.H, PMP, CSM)
Assistant Groundwater Manager

STAFF EXHIBIT 02

Background

- Well permit applications in the Oxnard Subbasin and Pleasant Valley Basin (OPV) are reviewed for compliance with the Agency *Ordinance Code, Emergency Ordinance E* and the *OPV Allocation Ordinance*
- Application No. 0309 filed by Daily Ranch (January 22, 2025) *(Exhibit 17A)*
  - Install a well to replace SWN 01N21W03H03S (03H03)
  - SWN 03H03 was a replacement for SWN 01N21W03H02S (03H02)
- Valid allocation transfer from SWN 03H02 to SWN 03H03 was never completed
- Application No. 0309 was denied because materials were incomplete and/or did not satisfy the Agency's ordinances

History

SWN 03H02 (P50) [Original]

- APN: 230-0-061-090, 50 acres
- Noel Nottingham Daily, Trustee of the Daily Marital Trust UTD May 25, 1995 (Nottingham Trust) *[mother]*
- Failed in 2017

SWN 03H03 (P225) [Replacement]

- APN: 9230-0-061-010, 225 acres
- R.N. Daily Ranch, LLC (Daily Ranch) managed by Adele Poliquin *[daughter]*
- Application No. 0272 filed to replace 03H02 in Oct. 2018 *(Exhibit 17B)*
  - Resite well location to P225
  - Letter of support from Nottingham Trust
  - Well would serve both parcels
- Permit No.0272 approved with conditions *(Exhibit 17B)*

STAFF EXHIBIT 02

Well Permit No. 0272

- Condition 2 – requires the operator to report groundwater extractions for both wells under the same CombCode
- Daily Ranch violated this condition, reporting SWN 03H03 independent of 03H02
  - "We apologize for this error. We reviewed the well permit and see that we were supposed to keep the same comb code. When we completed the Fox Canyon registration form we left it blank instead of putting the OVP-OTR comb code so we ended up with a new comb code." *(Exhibit 17C; see also Exhibit 17D)*
- Reporting error result, CombCode: RNDCAM (03H03 only) assigned 0.000 AF/year of allocation for WY2020-21 *(Exhibit 17E)*

STAFF EXHIBIT 02

Well Permit No. 0272

- Subsequent reporting, RNDCAM (03H03 & 03H02), was assigned 308.267AF/yr *(Exhibit 17F)*
- RNDCAM Allocation was due to inclusion of 03H02 into the CombCode
  - Allocation was with SWN03H02
  - SWN 03H03 did not and does not have an allocation
- RN Daily staff through email communications with Agency staff acknowledged that, "The allocation for the RN Daily Ranch is on the destroyed well 01N21W03H02 with comb code of OVP-OTR." *(Exhibit 17C)*

STAFF EXHIBIT 02

Agency Ordinance Requirements

- OPV Allocation Ordinance (October 23, 2019)
  - Sets new extraction allocations based on the historical allocations during the base period 2005-2014.
  - Allows for transfer of allocations, “Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal. (OPV Allocation Ordinance, § 9.2)
- The OPV Allocation Ordinance and the Agency Ordinance Code both require that the requested transfer be submitted jointly by the parties involved and include specific details of their proposal(OPV Allocation Ordinance, § 9.2; Agency Ordinance Code, § 5.3.5.)

STAFF EXHIBIT 02

Agency Ordinance Requirements

- An Emergency Ordinance Limiting Extractions From Groundwater Extraction Facilities, Suspending Use of Credits and Prohibiting Construction of Any Groundwater Extraction Facility and/or the Issuance of Any Permit (Emergency Ordinance E)
  - The Board prohibits the issuance of any permit for construction of a groundwater extraction facility, other than a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater, within the territory of the Agency… *(Emergency Ordinance E, Art. 4)*
- Emergency Ordinance E limits construction of new wells to "replacement, backup or standby wells that do not result in "the initiation of any new or increased use of groundwater…"(Emergency Ordinance E, Art. 4)

Agency Review: Interim Executive Officers Decision

- Daily Ranch submitted Application No. 0309 to replace SWN 03H03 *(Exhibit 17A)*
- Email communications between counsel for Nottingham Trust and Agency staff, Agency staff and Daily Ranch staff indicate all parties were aware of the need to complete an allocation transfer form *(Exhibit 17G)* to complete the transfer and effectuate transfer from SWN 03H02 to 03H03
  - Counsel for Nottingham Trust represented their client was waiting for a well sharing agreement to be in place before initiating the allocation transfer *(Exhibit 17G)*
  - The Agency is not aware of any well sharing agreement between the parties
  - The Agency is not aware of any agreement by Nottingham Trust authorizing the filing of Application No. 0309 or approving the transfer of allocation from SWN 03H02.
- In the absence of Nottingham Trust's joinder in the submission of Application No. 0309, the application was denied because it failed to satisfy the requirements of Section 9.2 of the OPV Allocation Ordinance

STAFF EXHIBIT 02

Agency Review: Interim Executive Officers Decision

- Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal." (OPV Allocation Ordinance, § 9.2.)
  - Allocation is currently assigned to the original well SWN 03H02
  - Permit No. 0309 was submitted only by Daily Ranch
  - Nottingham Trust did not agree or consent to a transfer from SWN 03H02
- Application No. 0309 failed to satisfy the transfer requirements of both the OPV Allocation Ordinance, § 9.2 and Agency Ordinance Code § 5.3.5 *(Exhibit 17A)*

STAFF EXHIBIT 02

Agency Review: Interim Executive Officers Decision

- Emergency Ordinance E "prohibits the issuance of any permit for construction of a groundwater extraction facility" except "a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater[.]"
  - For purpose of this article, "a new or increased use is one that did not exist or occur before the effective date of this emergency ordinance." (Emergency Ordinance E, Art. 4)
- SWN 03H03 was drilled in late 2018 after Emergency Ordinance E was adopted
- SWN 03H03 did not exist during the OPV Allocation base period
- Extractions from SWN 03H03 would be both a new and increased use of groundwater (Emergency Ordinance E, Art. 4)

STAFF EXHIBIT 02

Agency Review: Interim Executive Officers Decision

- There maybe a dispute between the parties involved:
  - Counsel for Nottingham Trust represented that their client was waiting for a well- sharing agreement to be prepared,
  - FCGMA has not received such agreement or the specific details of [the parties'] proposal" for the drilling of new replacement well and delivery of water between the two parcels. (OPV Allocation Ordinance, § 9.2.)
- Ventura County Superior Court's dockets show that Noel Nottingham Daily (mother) is in a probate dispute with her daughter Adele Poliquin *(see Exhibit 17H).*
- It is unclear whether ownership of the original well SWN 03H02, and/or the authority to transfer an extraction allocation, is at issue in this dispute.

STAFF EXHIBIT 02

Summary

- Application No. 0309 was filed by Daily Ranch only:
  - To replace SWN 03H03 which itself is a replacement for SWN 03H02
  - Allocation transfer from SWN 03H02 to SWN 03H03 was never completed
  - Nottingham Trust wants a well-sharing agreement in place before authorizing transfer
  - Absence of Nottingham Trust joinder authorizing Daily Ranch submit Application No. 0309 fails to satisfy Section 9.2 of the OPV Allocation Ordinance.
  - SWN 03H02 retains allocation thus SWN 03H03 does not have an allocation and Application No. 0309 fails to satisfy Emergency Ordinance E, Art. 4
  - Parties are in a probate dispute and it is unclear whether ownership of the original 03H02 and/or the authority to transfer an extraction allocation is at dispute

STAFF EXHIBIT 02

Recommendations

1. Conduct a hearing on Daily Ranch's appeal of the Interim Executive Officer's denial of Application No. 0309;
2. Affirm the Interim Executive Officer's denial of Application No. 0309;
3. Direct Agency Counsel to prepare a written decision affirming the denial of Application No. 0309 consistent with your Board's direction; and
4. Continue this hearing until the June 25, 2025 FCGMA Board meeting, where your Board can adopt a final written decision on Daily Ranch's appeal.

STAFF EXHIBIT 03

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, Chair, *Director, Camrosa Water District*
Kelly Long, Vice Chair, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

INTERIM EXECUTIVE OFFICER
Arne Anselm

Monday, February 18, 2025

VIA ELECTRONIC MAIL ONLY

Gary Arnold
Arnold LaRochelle Mathews VanConas & Zirbel LLP
300 East Esplanade Drive, Suite 2100
Oxnard, CA 93036
garnold@atozlaw.com

RE: Well Drilling Application No. 0309 – Confirmation of Denial

Dear Mr. Arnold,

I am in receipt of your email dated February 13, 2025, requesting certain FCGMA documents and records; your email dated February 14, 2025, explaining that your request is "an urgent matter"; and your draft appeal letter, attached to your February 13, 2025, email. I have carefully reviewed and considered each of these materials.

After further deliberation, I write to confirm FCGMA's original denial of Well Drilling Application No. 0309. (See Exhibit A, attached hereto.) The reasons for my confirmation of denial are set forth in FCGMA's original denial letter, dated February 5, 2025, and need not be reiterated here. (See Exhibit A.)

R.N. Daily Ranch, LLC may appeal the administrative denial of Well Drilling Permit Application No. 0309 by filing an appeal with the FCGMA Board of Directors. Appeals of administrative agency decisions are governed by FCGMA's Ordinance Code and FCGMA Resolution No. 2006-06, both of which are available on the FCGMA website at www.fcgma.org. Please note that a $250 fee is required to be filed with a written appeal, and appeals submitted without the required fee will not be processed and returned to the appellant.

Notwithstanding the above, I have directed FCGMA staff to treat your February 13, 2025, email as a Public Records Act request. You should have received an initial determination letter on Friday, February 14, 2025, and will receive FCGMA's complete response to the request as provided in that determination letter.

If you would like to discuss Application No. 0309 or this letter, please call me at (805) 654-2954 or email me at farai.kaseke@ventura.org.

Sincerely,

Kudzai Farai Kaseke

Digitally signed by Kudzai Farai Kaseke
Date: 2025.02.18 09:41:28 -08'00'

Kudzai Farai Kaseke (Ph.D., PH, PMP, CSM)
Assistant Groundwater Manager,
Acting Interim Executive Officer

Attachment:
Exhibit A – Well Permit Appl 0309 Denial Letter with Attachments

STAFF EXHIBIT 03

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

INTERIM EXECUTIVE OFFICER
Arne Anselm

February 5, 2025

R.N. Daily Ranch, LLC.
Attn: Adele Poliquin
882 Rim Crest Drive
Westlake Village, California 91361

SUBJECT: Denial of Fox Canyon Groundwater Management Agency (FCGMA) Water Well Application Submittal for APN 230-0-061-010, Pleasant Valley Basin, FCGMA Application No. 0309

Dear Ms. Poliquin:

Your application for a replacement well is denied. The proposed well was to be located on Assessor's Parcel Number (APN) 230-0-061-010, located in the southwestern portion of the Pleasant Valley Basin (PVB) within the Pleasant Valley Pumping Trough Management Area. The application was received on January 22, 2025.

The proposed well was to replace well State Well Number (SWN) 01N21W03H03S (03H03). Well 03H03 was a replacement for well SWN 01N21W03H02 (03H02), under FCGMA Water Well Permit No. 0272. Transfer of well 03H02 allocation to 03H03 was never completed thus 03H03 does not have allocation under *An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins* (OPV Allocation Ordinance). According to FCGMA records, Well SWN 03H02 retains the allocation.

Article 4 of *Ordinance E* "prohibits the issuance of any permit for construction of a groundwater extraction facility, other than a backup, replacement or standby well which do not allow the initiation of any new or increased use of groundwater." "For the purpose of this Article 4, a new or increased use is one that did not exist or occur before the effective date of this emergency ordinance." Ordinance E was adopted April 11, 2014, and effective on the thirty-first day after adoption. Well 03H03 was drilled in late 2018, after the effective date of Ordinance E, thus no groundwater extractions from well 03H03 occurred prior to the effective date of Ordinance E. Extractions from replacement well 03H03 would be both a new and increased use of groundwater.

STAFF EXHIBIT 03

Well Permit Application 0309 - R.N. Daily Ranch, LLC.
February 5, 2025

This letter will serve as the written record to confirm the denial of the Well Application No. 0309. Pursuant to Section 6.1 of the Fox Canyon Groundwater Management Agency Ordinance Code, any person aggrieved by a decision or determination made by the Executive Officer may appeal to the Board within forty-five (45) calendar days thereof by filing with the Clerk, or Deputy Clerk, of the Board a written request that the Board review the decision.

Sincerely,

Arne Anselm Digitally signed by Arne Anselm
Date: 2025.02.05 11:47:27
-08'00'

Arne Anselm

Interim Executive Officer

Attachments:

1. FCGMA Well Application No. 0309
2. Email regarding Well Permit Compliance and CombCode use dated June 19, 2020
3. Email regarding preparation of Well Sharing Agreement and hold on allocation transfer dated June 26, 2020
4. Email regarding Authorization Form dated June 26, 2020

Cc: Beverly Gutierrez, Hoffman, Vance & Worthington Inc. bevg@hvwonline.com

STAFF EXHIBIT 03

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue | Ventura, CA. 93009-1610 | (805) 654-2014 | FCGMA@ventura.org

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JAN 22 20[illegible]
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

WATER WELL PERMIT APPLICATION

No Fee Required

GENERAL INFORMATION

Fox Canyon Groundwater Management Agency (FCGMA) Ordinance Code requires that before drilling a new water well within the boundaries of the FCGMA, a completed FCGMA water well permit application must be submitted. All groundwater extraction facilities within the boundaries of the Agency shall be registered with the Agency. All new extraction facilities constructed within the Agency Boundary shall obtain a no-fee permit from the Agency prior to the issuance of a Well Permit by the Ventura County Watershed Protection District. No extraction facility may be operated or otherwise utilized so as to extract groundwater within the boundaries of the Agency, or in the Expansion Area unless that facility is registered with the Agency, metered and permitted, if required and all extractions reported to the Agency as required.

Copies of the current FCGMA Ordinance Code and other pertinent information regarding the FCGMA can be obtained by visiting our website at https://fcgma.org/ordinances-legislation/.

This is a no-fee FCGMA permit application. In addition, a ***FEE-BASED*** **Ventura County Watershed Protection District Water Well Permit must be approved and secured *prior* to any construction.**

INSTRUCTIONS

Fill in the requested information and provide an Assessor's Parcel Map as described under Item D.

A. OWNERSHIP

Owner's Name: R. N. Daily Ranch, LLC.

Mailing Address: 862 Rim Crest Dr, Westlake Ca. 91361

Phone No(s): 805-642-6211 Cell No. 818-577-5354

Email(s): pcliquin12 ad@gmail.com

B. TYPE OF USE

If use of water is for irrigation, check box 1 and describe proposed crops and acreage. If water is for municipal, industrial, or domestic uses, check box 2 and describe number of people served, etc.

1. ☒ **Irrigation**

List types of crops and corresponding acreage that will be irrigated:

Crop Type	Acreage
Row Crops	275

Describe irrigation system: list size and approximate length of pipelines and type of irrigation system, i.e., sprinkler, drip, furrow, etc.:

Drip & Sprinkler, 800 ft. rows

Emergency replacement of well for Ag production. No storage tanks

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County of Ventura
APPLICATION FOR WELL PERMIT
800 South Victoria Avenue; Ventura, CA 93009-1610

	Property Owner*	Driller	Registered Inspector
Name	R.W. Dairy Ranch, LLC	Carbour Well Inc.	
Address	Adele Poliquin 822 Rim Crest Dr. Westlake Village, Ca. 91361	260 Sunset Ave Suite A Henderson, NV 89011	
Telephone	805-642-0211	805-207-6124	
License No.		949489	
Lic. Exp. Date		Jan. 1 2026	
APN(s)	230-0-061-010		

Type of Work

- ☐ Water Supply Well
  - ☒ New (No._____)
  - ☐ Destruction (No._____)
    SWN _____
  - ☐ Repair/Modify (No._____)
    SWN _____
    Replacing 01N21W03H03
- ☐ Monitoring Well
  - ☐ New (No._____)
  - ☐ Destruction (No._____)
- ☐ Engineering Test Hole (No._____)
- ☐ Cathodic Protection Well
  - ☐ New (No._____)
  - ☐ Destruction (No._____)

Use

- ☒ Agricultural
- ☐ Cathodic
- ☐ Domestic
- ☐ Industrial
- ☐ Monitoring
- ☐ Municipal

Equipment

- ☒ Rotary
- ☐ Hollow Stem
- ☐ Geoprobe
- ☐ Other (Describe) _____

Proposed Construction

Well Depth 920 FT
Bore Diameter _____

Casing
- ☒ Steel — Diameter (in.) 16"x14"
- ☐ PVC — Wall Gauge (in) .375
- ☐ Other (Describe) _____

Perforations
From 635' to 920' ft
From _____ to _____ ft
From _____ to _____ ft

Estimated Start Date: _____

Comments

*NOTE: If proposed water supply well is within Fox Canyon Groundwater Management Agency, Ojai Basin Groundwater Management Agency, the Cities of Ojai or Ventura, this County Application for Well Permit can be submitted, but will not be processed, until the County receives a copy of the approved Agency/City permit. If the proposed water supply well is within the Santa Paula Basin Pumpers Association, United Water Conservation District, Camrosa Water District, the Cities of Fillmore, Simi Valley, or Thousand Oaks, the County Application must be accompanied by a copy of Agency/City acknowledgement of the property owner's intent to install a new water supply well. If the proposed water supply well is within the City of Oxnard, a County Well Permit is not required, but a City of Oxnard well permit is required.

I hereby agree to comply with all provisions of Ventura County Well Ordinance No. 4184, and all applicable State of California and local regulations pertaining to well construction, repair, modification and destruction. I also agree to comply with all conditions of the issued permit to include the submittal of post requirement documents and reports. I understand that any modification of the issued permit requires approval by the Manager, Water Resources Division and that the information contained herein becomes a part of the permit when issued.

Property Owner's Signature	Adele D. Poliquin	Date	1/21/2025
Driller's Signature	Dee Carr	Date	1-16-25
Registered Inspector's Signature (For monitoring wells and borehole		Date	

Permit No._____

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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

2. ☐ Municipal, Industrial, or Domestic

List number of people and/or number of housing units served. If industrial use is proposed, describe type of industrial use: _____

Describe water system: list size and length of pipelines, size of storage tanks, etc.: _____

C. PROPOSED EXTRACTION

Show calculations for anticipated annual pumping in acre-feet per year (AF/yr):
Replacement well for existing SWN 01N/21W-05H1035 - drilled in 2019
w/ steel casing - history of sand production.

D. LOCATION OF PROPOSED USE

On a County Assessor's Parcel Map *(attached to your completed application)*, accurately plot and outline the location(s) of proposed groundwater use. Show location of proposed water well. Give dimensions of area(s) to be irrigated. Indicate crop type for each area. For M & I or other uses, show location of water distribution system, type of water use and location of structures to be served. Attach the Assessor's Parcel Map to this application. *(No permit applications will be approved without an adequate attached parcel map.)*

E. APPLICANT SIGNATURE AND DATE

Sign, date, and submit this completed application to the Fox Canyon Groundwater Management Agency, 800 South Victoria Avenue, L #1610, Ventura, CA 93009-1610. You may also email PDFs of your signed application to FCGMA@ventura.org.

Applicant Signature: _____ Date 1/21/2025

STAFF EXHIBIT 03

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JAN 22 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

DISPOSITION OF FCGMA APPLICATION

(For Agency use only)

- ☐ Approved
- ☐ Approved with Conditions
- ☒ Denied

Conditions / Reason for Denial:

Reasons for denial are listed in February 5, 2025 letter transmitting denial.

By: Kathleen Riedel Digitally signed by Kathleen Riedel Date: 2025.02.05 13:54:40 -08'00' Date:

This application is a permit when signed by the FCGMA Executive Officer or their designated appointee.

Arne Anselm Digitally signed by Arne Anselm Date: 2025.02.05 11:46:54 -08'00'

Approval Signature Date

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JAN 22 2025

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

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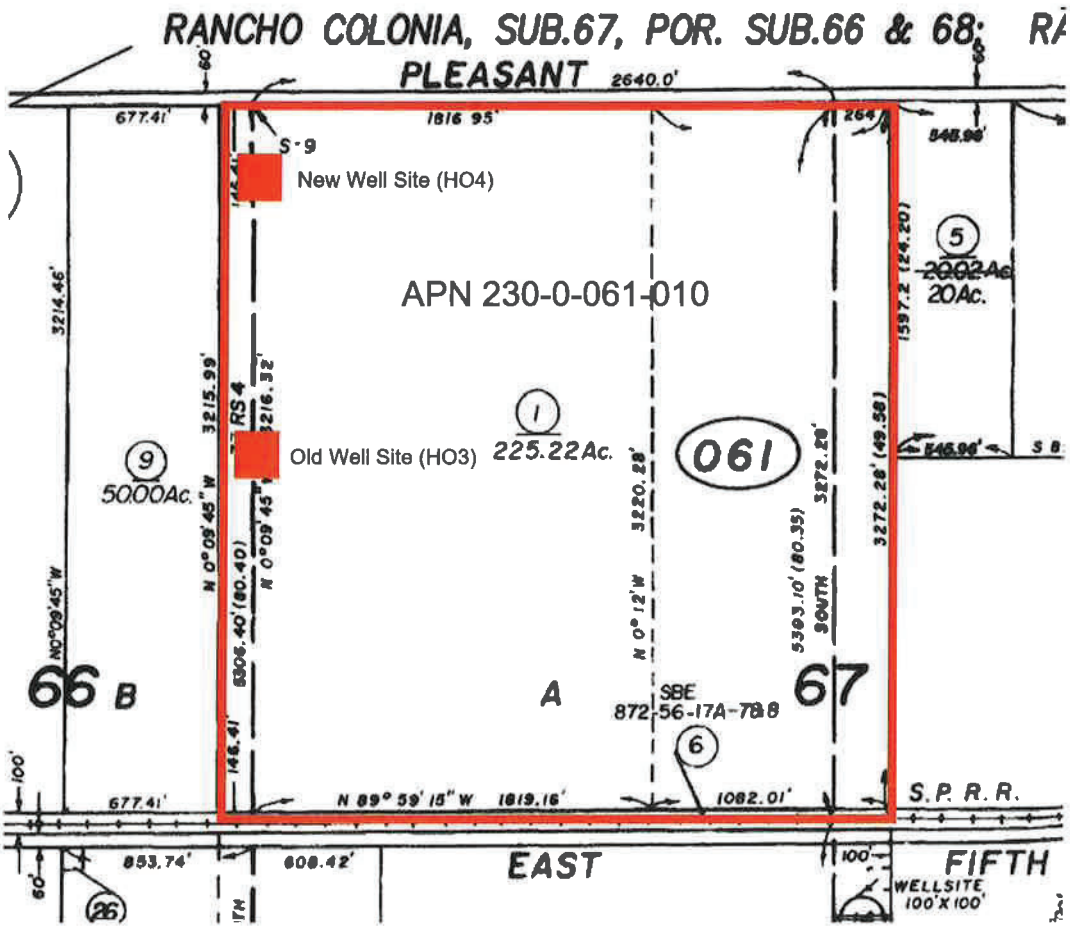
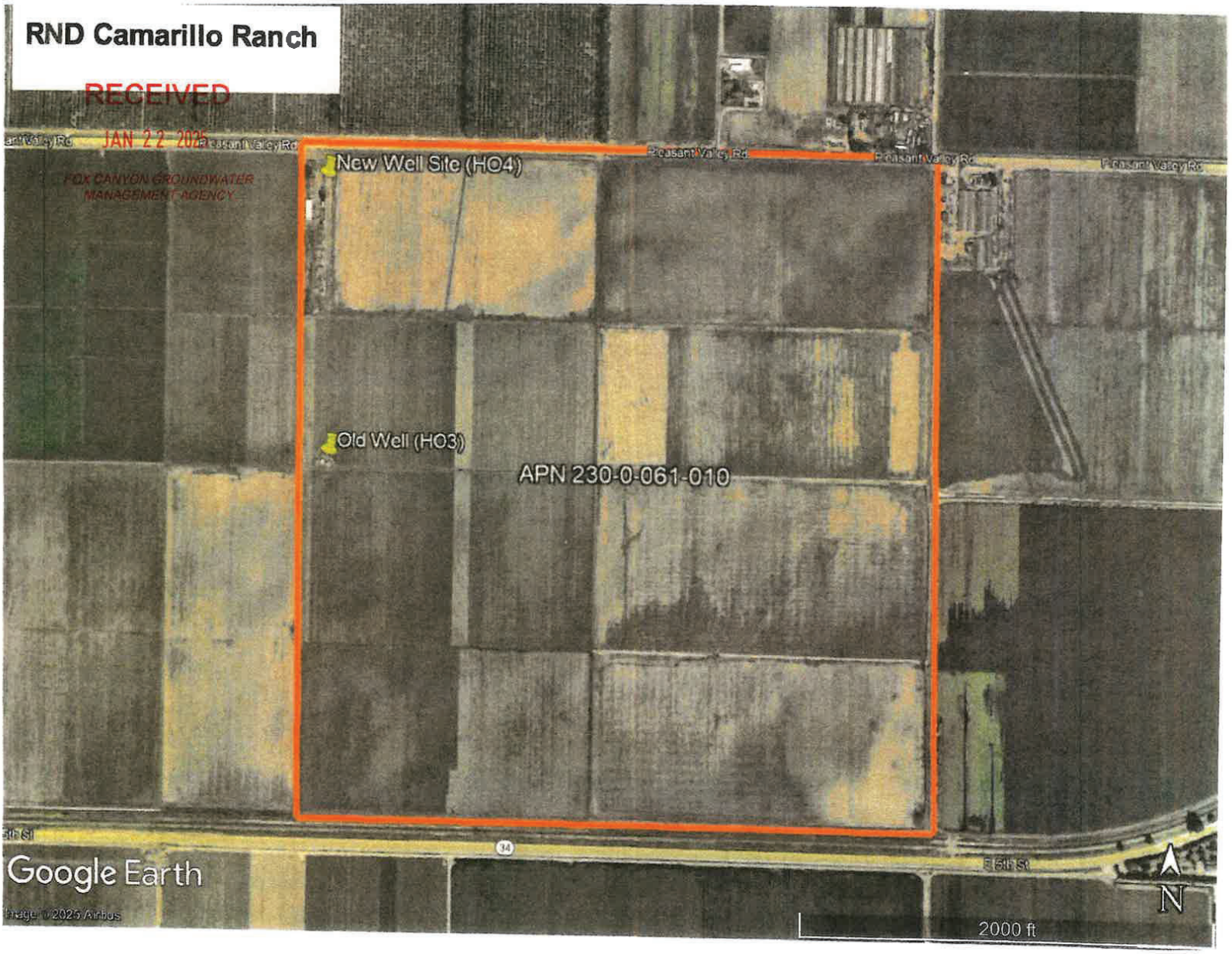


STAFF EXHIBIT 03



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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

TABLE 1

Well Number	Name	Well Statu	FCGMA Ba	DWR Basir	Usage Code	YearCode	Extraction	CombCod	CombCode
01N21W03H02		Destroyed	PV	PV	AG	2002-2	235.95	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2003-1	235.96	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2003-2	235.96	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2004-1	235.96	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2004-2	235.96	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2005-1	85.88	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2005-2	239.98	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2006-1	93.97	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2006-2	215.28	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2007-1	84.45	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2007-2	45.71	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2008-1	88.01	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2008-2	40.35	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2009-1	13.42	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2009-2	72.35	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2010-1	131.98	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2010-2	133.89	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2011-1	153.8	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2011-2	207.43	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2012-1	310.15	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2012-2	207.43	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2013-1	217.14	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2013-2	240.07	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2014-1	318.96	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2014-2	186.02	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2015-1	112.5	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2015-1	15.87	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2015-2	144.91	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2016-1	89.28	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2016-2	139.4	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2017-1	27.67	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2017-2	98.34	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2018-1	0.56	580	OVP-OTR

Well Number	Well Status	FCGMA Basin	DWR B	Usage Code	YearCode	Extraction
01N21W03H03	Active	PV	PV	AG	2019-1	39.28
01N21W03H03	Active	PV	PV	AG	2019-2	64.98
01N21W03H03	Active	PV	PV	AG	2020-1	108.77
01N21W03H03	Active	PV	PV	AG	2020-2	8.71
01N21W03H03	Active	PV	PV	AG	2021-1	113.38
01N21W03H03	Active	PV	PV	AG	2021-2	175.85
01N21W03H03	Active	PV	PV	AG	2022-1	151.2
01N21W03H03	Active	PV	PV	AG	2022-2	4.87
01N21W03H03	Active	PV	PV	AG	2023-1	38.74
01N21W03H03	Active	PV	PV	AG	2023-2	23.41
01N21W03H03	Active	PV	PV	AG	2024-1	29.04

STAFF EXHIBIT 03

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JAN 22 2025

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

January 20, 2025

Emergency Ordinance E Compliance Letter
Water Well Replacement Permit Applications

To whom it may concern:

This letter is to state that the proposed emergency replacement water well (to replace the existing State Well Number 01N21W03H03) will not result in any new or increased groundwater use at the following two irrigated parcels:

1. 230-0-061-010 (225.22 acres)
2. 230-0-061-090 (50.00 acres)

The estimated or reported irrigation extractions at the existing -03H02 and H03 usage from 2002-2024 are included as Table 1 on the next page. The largest reported volume during that time was 517.58 af in 2012. Therefore, cumulative extractions from the replacement well will never exceed more than 517.58 af in a given year.

Sincerely,

Adele Poliquin
R.N. Daily Ranch, LLC

STAFF EXHIBIT 03

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JAN 22 2025

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

SCHNEIDERS & ASSOCIATES, L.L.P.

ATTORNEYS AT LAW

ROY SCHNEIDER
THEODORE J. SCHNEIDER
KATHLEEN J. SMITH
WILLIAM E. WINFIELD*
GEORGIANNA REGNIER
ERIC HIRSCHBERG

Of Counsel
DEBORAH A. PERKINS
MICHAEL R. SHEVLIN, P.E.**
GEOFF SINDON

*Board Certified Business Bankruptcy Law American Board of Certification
**Registered Patent Attorney

300 E. ESPLANADE DRIVE
SUITE 1980
OXNARD, CA 93036

2945 TOWNSGATE ROAD
SUITE 200
WESTLAKE VILLAGE, CA 91361

Tel: (805) 764-6370
Fax: (805) 981-1133

RSTLEGAL.COM

Reply to Oxnard Office

Writer's email: rschneider@rstlegal.com

October 4, 2018

SENT VIA: CERTIFIED MAIL

Fox Canyon Groundwater Management Agency
800 S. Victoria Avenue
Ventura, Ca 93001

RE: ***Fox Canyon Approval Letter / FCGMA Well Application No. 0272***

Dear Sir or Madam:

Please be advised the undersigned is counsel for the Trustee of the Daily Family Trust, which is the owner of that certain Assessor's Parcel No. 230-0-061-090, on which property the original well is located and is a subject of the above-referenced Well Application. This letter shall serve as acknowledgement and support of drilling a replacement well on Assessor's Parcel N0. 230-0-061-010. The original well and the contemplated replacement well has and will continue to serve both parcels.

If you have any questions or concerns, please feel free to contact the undersigned. Thank you for your cooperation.

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OCT 09 2018

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

Very truly yours,

SCHNEIDERS & ASSOCIATES, L.L.P.

ROY SCHNEIDER

STAFF EXHIBIT 03

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JAN 22 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

CONV-1A File # 302019217001

State of California
Secretary of State

Certificate of Conversion

FILED
Secretary of State
State of California
SEP 18 2019
IPC

IMPORTANT — Read all instructions before completing this form.

This Space For Filing Use Only

Converted Entity Information

1. Name of Converted Entity
R.N. Daily Ranch, LLC

2. Form of Entity	3. Jurisdiction
Limited Liability Company	Delaware

4. Mailing Address of Chief Executive Office	City	State	Zip Code

5. Street Address of Chief Executive Office - *Do not list a P.O. Box*	City	State	Zip Code
882 Rim Crest Drive,	Westlake Village	CA	91361

6. Street Address of the California Office, if any - *Do not list a P.O. Box*	City	State	Zip Code
882 Rim Crest Drive,	Westlake Village	CA	91361

7. **If the converting entity is a California corporation, limited liability company, limited partnership or general partnership, you must designate an agent for service of process:** Item 7a: List the name of an individual or a corporation registered in CA under California Corporations Code section 1505 that agrees to be your agent for service of process. You may not list the converted entity as the agent. Item 7b: If the agent is an individual, list the agent's business or residential street address. Item 7c: If the agent is an individual, list the mailing address of the converted entity's agent. Do not list an address if the agent is a California registered corporate agent as the address for service of process is already on file.

a. Name of Agent For Service of Process
Adele D. Poliquin

b. If an individual, Street Address of Agent for Service of Process - *Do not list a P.O. Box*	City	State	Zip Code
882 Rim Crest Drive	Westlake Village	CA	91361

c. If an individual, Mailing Address of Agent for Service of Process	City	State	Zip Code
882 Rim Crest Drive	Westlake Village	CA	91361

Converting Entity Information

8. Name of Converting Entity
RND Camarillo Ranch Partnership

9. Form of Entity	10. Jurisdiction	11. CA Secretary of State File Number, if any
General Partnership	California	302019217001

12. The principal terms of the plan of conversion were approved by a vote of the number of interests or shares of each class that equaled or exceeded the vote required. If a vote was required, the following was required for each class:

The class and number of outstanding interests entitled to vote. AND The percentage vote required of each class.

Additional Information

13. Additional information set forth on the attached pages, if any, is incorporated herein by this reference and made part of this certificate.

14. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge. I declare I am the person who executed this instrument, which execution is my act and deed.

Date

Signature of Authorized Person

See attached signature page
Type or Print Name and Title of Authorized Person

Signature of Authorized Person

Type or Print Name and Title of Authorized Person

CONV-1A (REV 10/2018)

APPROVED BY SECRETARY OF STATE

STAFF EXHIBIT 03

RECEIVED
JAN 22 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

3020192170001

CERTIFICATE OF CONVERSION

RND Camarillo Ranch Partnership

Signature Page

14. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge. I declare I am the person who executed this instrument, which execution is my act and deed.

Date: September 13, 2019

Signatures of Authorized Persons

Adele D. Poliquin,

Trustee of the Enid Daily Trust FBO Richard N. Daily dated January 24, 1970, as amended, Partner

Adele D. Poliquin,

Trustee of the Richard N. Daily Separate Property Trust dated May 25, 1995, as amended, Partner

STAFF EXHIBIT 03

Riedel, Kathleen

From: bev <bevg@hvwonline.com>
Sent: Friday, June 19, 2020 2:03 PM
To: Jones, Kathy; Riedel, Kathleen
Cc: 'Alyssa Gutierrez'
Subject: Daily Property
Attachments: Fox Canyon Allocation 2005-2014.pdf; daily semi ann stmts.pdf

CAUTION: If this email looks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org

Kathy:

The allocation for the RN Daily Ranch is on the destroyed well 01N21W03H02 with comb code of OVP-OTR. The new well is 01N21W03H03 with comb code RNDCAM. Can you please combine both to RNDCAM or if it's easier since there is less reports, delete RNDCAM and transfer that usage to OVP-OTR.

We apologize for this error. We reviewed the well permit and see that we were supposed to keep the same comb code. When we completed the Fox Canyon registration form we left it blank instead of putting the OVP-OTR comb code so we ended up with a new comb code.

Thank you.

Bev

Beverly Gutierrez
HOFFMAN, VANCE & WORTHINGTON, INC.
1000 S. Seaward Avenue
Ventura, CA 93001
bevg@hvwonline.com
(805) 642-0211

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Riedel, Kathleen

From: Roy Schneider <rschneider@rstlegal.com>
Sent: Friday, June 26, 2020 3:37 PM
To: Riedel, Kathleen
Subject: FW: Has Authorization Form been filed for 01N21W03H02?
Attachments: SKMBT_C28020062212460.pdf; SKMBT_C28020062309090.pdf

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Roy Schneider
Attorney at Law

Schneiders & Associates LLP
A BUSINESS LAW FIRM

www.rstlegal.com | 805-764-6370

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Sent: Friday, June 26, 2020 3:27 PM
To: 'Deanne Daily' <deannedaily@gmail.com>; Noel Daily <nndaily@roadrunner.com>
Subject: Fwd: Has Authorization Form been filed for 01N21W03H02?

Hi. Here is the latest from Bev and her communications with Fox Canyon. Still waiting to hear from water law firm. I think the destroyed well and new well have same CompCode.

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Sent: Friday, June 26, 2020 11:57 AM
To: Alyssa Gutierrez <alyssa@hvwonline.com>
Cc: Jones, Kathy <Kathy.Jones@ventura.org>; Gutierrez, Beverly <bevg@hvwonline.com>
Subject: Has Authorization Form been filed for 01N21W03H02?

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Best regards,
Kathleen

Kathleen Riedel, PG, CEG
Groundwater Specialist
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kathleen.riedel@ventura.org<mailto:kathleen.riedel@ventura.org>

From: Alyssa Gutierrez <alyssa@hvwonline.com<mailto:alyssa@hvwonline.com>>
Sent: Friday, June 26, 2020 11:25 AM
To: Riedel, Kathleen <Kathleen.Riedel@ventura.org<mailto:Kathleen.Riedel@ventura.org>>

Cc: Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>; Gutierrez, Beverly <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
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Good Morning Allyssa,

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Best Regards,
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Good Morning Bev,

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Cc: Loeb, Kim <Kim.Loeb@ventura.org<mailto:Kim.Loeb@ventura.org>>; Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>
Subject: RE: Daily transfer of allocation

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I do want to operate with one combcode. Just clarifying that there are 2 combcodes currently. One that exists on the old well and one for the new well. We are submitting our application to transfer from old well to new well. The stress of potentially issuing a deadline on a technicality is making me crazy so to be crystal clear, the deadline of June 30th does not apply to Daily Ranch if we are transferring one combcode from old well to a new combcode for new well.

Thanks.

Bev

Beverly Gutierrez

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Sent: Friday, June 26, 2020 10:19 AM
To: Gutierrez, Beverly <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Cc: Loeb, Kim <Kim.Loeb@ventura.org<mailto:Kim.Loeb@ventura.org>>; Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>
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Good Morning Bev,

Based on your e-mail below, is it your intention to operate the well SWN 01N21W03H03S inconsistent with the conditions in FCGMA Well Permit No 0272. Am I to understand that you are not planning on changing CombCodes as stated in your e-mail dated June 19, 2020 at 2:03 PM?

Best regards,
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To: Riedel, Kathleen <Kathleen.Riedel@ventura.org<mailto:Kathleen.Riedel@ventura.org>>
Cc: Loeb, Kim <Kim.Loeb@ventura.org<mailto:Kim.Loeb@ventura.org>>; Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>
Subject: RE: Daily transfer of allocation

Kathleen:

Thank you for your response. We don't have the same combcode for the destroyed well and the new well so we don't have a single combcode so it appears the June 30th deadline might be applicable?

STAFF EXHIBIT 03

Bev

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From: Riedel, Kathleen [mailto:Kathleen.Riedel@ventura.org]
Sent: Thursday, June 25, 2020 4:51 PM
To: Gutierrez, Beverly <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Cc: Loeb, Kim <Kim.Loeb@ventura.org<mailto:Kim.Loeb@ventura.org>>; Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>
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Good Afternoon Bev,

The June 30th date is found in Section 11.7 of the Ordinance (copy appended) and applies to variances. Applications for corrections to reported extractions and brining reporting into compliance for non-reported periods are to be submitted by June 30. Transfers of allocation can occur after June 30th.

It is my understanding that a single tenant is to be farming APNs 230-0-061-090 and 230-0-061-010 under a single FCGMA account (CombCode).

Destroyed well SWN 01N21W03H02S is located on APN 230-0-061-090 (50.00 acres) owned by Daily Family Trust. Active well SWN 01N21W03H03S is located on APN 230-0-061-010 (225.22 acres) owned by Richard N Daily Trust. Well SWN 01N21W03H03S is new well that was not in operation during the new groundwater extraction allocation system base period. Destroyed well SWN 01N21W03H03S was operated during the new groundwater extraction allocation system base period and is associated with a groundwater extraction allocation. Fox Canyon Groundwater Management Agency Well Permit No. 0272 is appended for reference.

If both wells are operated under the same CombCode, then no transfer of allocation is needed.

Best Regards,
Kathleen Riedel

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Sent: Thursday, June 25, 2020 2:46 PM
To: Riedel, Kathleen <Kathleen.Riedel@ventura.org<mailto:Kathleen.Riedel@ventura.org>>
Subject: Daily

Kathleen:

Can you please put it in writing that the Daily transfer from the destroyed well L04 to M02 does not have a deadline of June 30th.

Thank you.

Bev

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<Owner_Authorization_Form.pdf>

STAFF EXHIBIT 03

Riedel, Kathleen

From: Riedel, Kathleen
Sent: Friday, June 26, 2020 4:01 PM
To: Roy Schneider
Subject: RE: Has Authorization Form been filed for 01N21W03H02?
Attachments: Owner_Authorization_Form.pdf; Daily Property

Good Afternoon Roy,

This e-mail is in follow-up to our telephone conversation. Per your request the Authorization form is appended. Currently destroyed well 01N21W03H02 is not associated with the tenants account. I understand that the tenant is Hank Laubacher. Mr. Laubacher is operating the replacement well under FCGMA account (CombCode) RNDCAM. Currently the destroyed well is associated with a former tenant's account.

If you have any questions please call or e-mail.

Best Regards,
Kathleen Riedel

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bevg@hvwonline.com<mailto:bevg@hvwonline.com>
(805) 642-0211

<Owner_Authorization_Form.pdf>

STAFF EXHIBIT 04

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, Chair, *Camrosa Water District*
David Borchard, Vice Chair, *Farmer, Agricultural Representative*
Steve Bennett, *Supervisor, County of Ventura*
Charlotte Craven, *Councilperson, City of Camarillo*
Robert Eranio, *Director, United Water Conservation District*

EXECUTIVE OFFICER
Jeff Pratt, P.E.

October 29, 2018

Ms. Adele D. Poliquin
882 Rim Crest Drive
Westlake Village, CA 91361

RND Camarillo Ranch Partnership
215 E. Daily Drive #23
Camarillo, CA 93010

SUBJECT: CONDITIONAL APPROVAL OF WELL PERMIT APPLICATION FOR APN 230-0-061-010; FCGMA PERMIT NO. 0272

Dear Ms. Adele D. Poliquin and RND Camarillo Ranch Partnership:

Based on the submitted application and supporting documentation, the proposed well is a replacement well for active well State Well Number (SWN) 01N21W03H02S located on a parcel identified as Assessor's Parcel Number (APN) 230-0-061-090 (50.00 acres). The proposed well is to be located on the adjacent parcel APN 230-0-061-010 (225.22 acres) to the east. The proposed and existing wells are located in the central portion of the parcels, near the western boundaries, which are located in the west central portion of the Pleasant Valley groundwater basin. The well being replaced has provided a groundwater supply for agricultural use on parcels APNs 230-0-061-010 and 230-0-061-090. The proposed well is to serve in the same capacity. Aside from the well being replaced, there are two active wells within approximately 0.43 mile of the proposed well location. The Agency did not review the application for potential well interference.

We have conditionally approved your well permit application as described below. Conditions of well permit approval are:

1. Well SWN 01N21W03H02S is to be destroyed under Ventura County WPD well permit within 1 year of completion of drilling activities.
2. Groundwater extractions from the well are to be reported under the same well group as the well being replaced.
3. The groundwater well is to be registered with the FCGMA.
4. Operation of the well must comply with the FCGMA Ordinance Code.
5. No groundwater is to be exported outside of the FCGMA boundary.
6. Groundwater extractions from the extraction facility shall be measured with a calibrated flowmeter.
7. Irrigation systems shall incorporate irrigation best management practices consistent with current industry standards.
8. The well shall be constructed with a sounding tube having a minimum diameter of 1.5 inches.
9. The groundwater extraction allocation (while Emergency Ordinance E is in effect) is based on meeting the Irrigation Allowance Index value, currently set at 1.0 and not exceeding the cap for the zone. Exceeding the values will result in imposition of surcharges. [Note: The FCGMA Board of Directors plans to adopt an ordinance for a new allocation system to replace Emergency Ordinance E and

historical allocation. Future extractions will be subject to any future ordinances adopted by the FCGMA Board.]

10. While Emergency Ordinance E is in effect, there is to be no new or increased use of groundwater. A new or increased use of groundwater is one that did not exist before April 11, 2014. The combined total annual extractions from the well group, which includes well SWN 01N21W03H02S and the replacement well, **shall not exceed 517.58 acre-feet per year**.

If you have any questions, please call me at (805) 654-2954.

Sincerely,

Kathleen Riedel

Kathleen Riedel, CEG
Groundwater Specialist

Enclosures: (1) Groundwater Extraction Facility Registration Form
(2) Flowmeter Update Form

Cc: Jeff Pratt, Executive Officer
Beverly C. Gutierrez

STAFF EXHIBIT 04

FCGMA No. 0272

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A state of California water agency
800 S. Victoria Avenue, Ventura, CA. 93009-1610
Phone (805) 645-1372 or 654-2014 Fax 654-3350
Websites: http://fcgma.org or https://fcgmaonline.org

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WATER WELL PERMIT APPLICATION

(NO-FEE REQUIRED)

GENERAL INFORMATION

Fox Canyon Groundwater Management Agency (FCGMA) Ordinance Code requires that before drilling a new water well within the boundaries of the FCGMA, a completed water well permit application must be submitted. **THIS IS A *NO-FEE* PERMIT.** In addition, a ***FEE-BASED*** Ventura County Watershed Protection District Water Well Permit must be approved and secured ***prior*** to any construction.

All groundwater extraction facilities within the boundaries of the Agency shall be registered with the Agency. All new extraction facilities constructed within the Agency Boundary shall obtain a no-fee permit from the Agency prior to the issuance of a Well Permit by the Ventura County Watershed Protection District. No extraction facility may be operated or otherwise utilized so as to extract groundwater within the boundaries of the Agency, or in the Expansion Area unless that facility is registered with the Agency, metered and permitted, if required and all extractions reported to the Agency as required.

Copies of the current FCGMA Ordinance Code and other pertinent information regarding the FCGMA can be obtained by calling *(805) 645-1372* or *(805) 654-2014* or by visiting our website at *http://fcgma.org*.

INSTRUCTIONS

(Fill in the requested information and provide an Assessor's Parcel Map as described under Item D.)

A. OWNERSHIP

Owner's Name: RND Camarillo Ranch Partnership

Operator's Name (if different from Owner): _____

Mailing Address: 882 Rim Crest Drive, Westlake Village, CA 91361

Phone No(s): (805) 642-0211 FAX No: (805) 642-1220 Cell No. Adele D. Poliquin: (818) 577-5354

B. TYPE OF USE

If use of water is for irrigation, check box 1 and describe proposed crops and acreage. If water is for municipal, industrial of domestic uses, check box 2 and describe number of people served, etc.

1. [X] **Irrigation** — ***PROPOSED REPLACEMENT WELL***

List types of crops and corresponding acreage that will be irrigated:

Crop Type	Acreage
Row Crops	275

Describe irrigation system: list size and approximate length of pipelines and type of irrigation system, i.e., sprinkler, drip, furrow, etc.:

Drip & Sprinkler; 800 ft rows

Emergency replacement of well for ag. production. No storage tanks.

STAFF EXHIBIT 04
FCGMA No. 0272

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2. ☐ **Municipal, Industrial or Domestic**
List number of people and/or number of housing units served. If industrial use is proposed, describe type of industrial use: _____

Describe water system: list size and length of pipelines, size of storage tanks, etc.: _____

C. PROPOSED EXTRACTION

Show calculations for anticipated annual pumping in acre-feet per year (AF/yr): 1 x Replacement Well for the Existing SWN 01N21W03H02S -- drilled in 2002, 16" steel casing to 905 ft bgs, history of sand production

Historical Allocation: 517.58 acre-ft

[See attached map for irrigation allowance index calculations]

D. LOCATION OF PROPOSED USE

On a County Assessor's Parcel Map accurately plot and outline the location(s) of proposed groundwater use. Show location of proposed water well. Give dimensions of area(s) to be irrigated. Indicate crop type for each area. For M & I or other uses, show location of water distribution system, type of water use and location of structures to be served. Attach the Assessor's Parcel Map to this application. ***(No permit applications will be approved without an adequate attached parcel map.)***

E. APPLICANT'S SIGNATURE AND DATE

Sign, date and submit this application to the Fox Canyon Groundwater Management Agency, c/o Watershed Protection District, Water and Environmental Resources Division, Groundwater Section, 800 South Victoria Avenue, L #1610, Ventura, CA 93009-1610.

Applicant's Signature: _____ Date 7-13-18

DISPOSITION OF FCGMA APPLICATION
(For office use only)

☐ Approved
☒ Approved with conditions
☐ Denied

State Well No. _____
GMA Permit No. 0272
County Permit No. _____

Conditions/Reason for Denial: Conditions are listed in the October 29, 2018 letter transmitting approval.

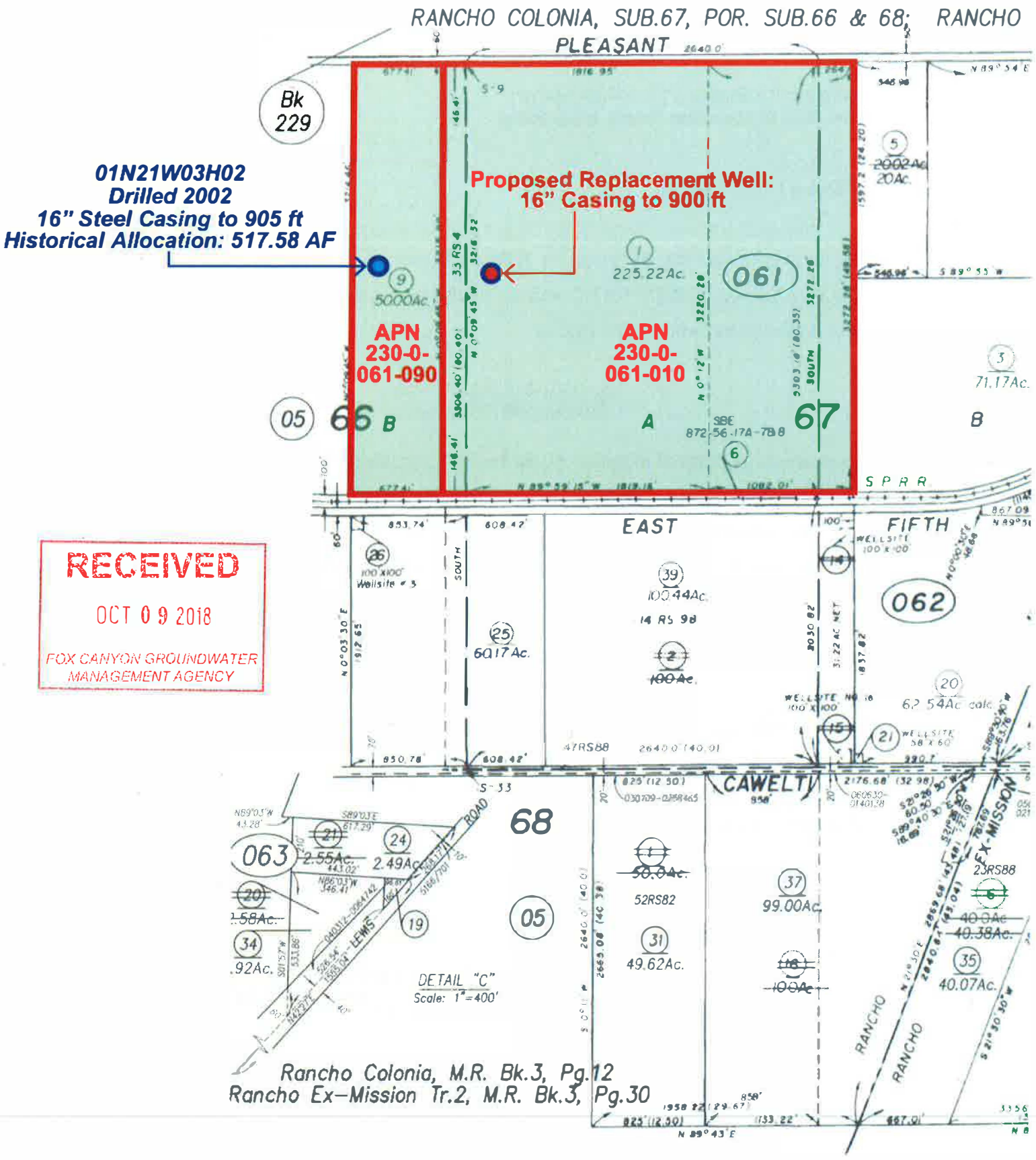
By: Kathleen Riedel Date 10/29/2018

This application is a permit when signed by the FCGMA Executive Officer or his/her designated appointee.

_____ Date 10/29/2018
Jeff Pratt, P.E., FCGMA Executive Officer

STAFF EXHIBIT 04

Approx. 275.22 Irrigated Acres in Zone 2 (Camarillo)
Misc. Vegetable Single Crop in Typical Year 1.1 to 1.7 AF/Acre
= 299.44 to 462.77 AFY



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230-06

Roll-Year 14-15		BK. 230 , PG. 06	
DATE	REFERENCE DOC.	EXPLANATION	
		Code	Description
9/4/2013	20130104-00001582	Other	Adding Refernce To APN

STAFF EXHIBIT 04

October 4, 2018

Emergency Ordinance E Compliance Letter
Water Well Replacement Permit Applications

To Whom It May Concern,

This letter is to state that the proposed replacement water well (to replace the existing State Well Numbers *01N21W03H02*) will not result in any new or increased groundwater use at the following two irrigated parcels:

1. 230-0-061-010 (225.22 acres)
2. 230-0-061-090 (50.00 acres)

The estimated or reported irrigation extractions at the existing *-03H02* agricultural well, from when its construction in 2002 through 2017, are included as Table 1 on the next page. The largest reported volume during that time was 517.58 total acre-feet in 2012. Therefore, cumulative extractions from the replacement well will never exceed more than 517.58 total acre-feet in a given year.

Sincerely,

Adele Poliquin
RND Camarillo Ranch Partnership

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STAFF EXHIBIT 04

SCHNEIDERS & ASSOCIATES, L.L.P.

ATTORNEYS AT LAW

ROY SCHNEIDER
THEODORE J. SCHNEIDER
KATHLEEN J. SMITH
WILLIAM E. WINFIELD*
GEORGIANNA REGNIER
ERIC HIRSCHBERG

Of Counsel
DEBORAH A. PERKINS
MICHAEL R. SHEVLIN, P.E.**
GEOFF SINDON

*Board Certified Business Bankruptcy Law American Board of Certification
**Registered Patent Attorney

300 E. ESPLANADE DRIVE
SUITE 1980
OXNARD, CA 93036

2945 TOWNSGATE ROAD
SUITE 200
WESTLAKE VILLAGE, CA 91361

Tel: (805) 764-6370
Fax: (805) 981-1133

RSTLEGAL.COM

Reply to Oxnard Office

Writer's email: rschneider@rstlegal.com

October 4, 2018

SENT VIA: CERTIFIED MAIL

Fox Canyon Groundwater Management Agency
800 S. Victoria Avenue
Ventura, Ca 93001

RE: *Fox Canyon Approval Letter / FCGMA Well Application No. 0272*

Dear Sir or Madam:

Please be advised the undersigned is counsel for the Trustee of the Daily Family Trust, which is the owner of that certain Assessor's Parcel No. 230-0-061-090, on which property the original well is located and is a subject of the above-referenced Well Application. This letter shall serve as acknowledgement and support of drilling a replacement well on Assessor's Parcel NO. 230-0-061-010. The original well and the contemplated replacement well has and will continue to serve both parcels.

If you have any questions or concerns, please feel free to contact the undersigned. Thank you for your cooperation.

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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

Very truly yours,

SCHNEIDERS & ASSOCIATES, L.L.P.

ROY SCHNEIDER

STAFF EXHIBIT 04

TABLE 1	01N21W03H02
2002	471.9*
2003	471.9*
2004	471.9*
2005	325.86
2006	309.25
2007	130.16
2008	128.36
2009	85.77
2010	265.87
2011	361.23
2012	517.58
2013	457.21
2014	504.98
2015	273.28
2016	228.68
2017	126.01

Estimated* (2002-2004) and Reported (2005-2017) Irrigation Extractions

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FCGMA
FILLMORE & PIRU BASIN GROUNDWATER
SUSTAINABILITY AGENCY

County of Ventura

APPLICATION FOR WELL PERMIT

800 South Victoria Avenue; Ventura, CA 93009-1610

RND Camarillo Ranch Partnership

	Property Owner*	Driller	Registered Inspector
Name	Adele D. Poliquin	United Well Service, Inc.	
Address	822 Rim Crest Drive Westlake Village, CA 91361	6400 Price Way Bakersfield CA 93308	
Telephone	(805) 642-0211	(805) 390-6712	
License No.		C57-1000753	
Lic. Exp. Date		02/28/2019	
APN(s)	230-0-061-010		

Type of Work

- ☐ Water Supply Well
  - ☐ New (No._____)
  - X Replacement Well
    SWN of well to be replaced
    01N21W03H02
  - ☐ Backup or Standby Well
    SWN of well to be backed up
    _____
  - ☐ Destruction (No._____)
    SWN _____
  - ☐ Repair/Modify (No._____)
    SWN _____
- ☐ Monitoring Well
  - ☐ New (No._____)
  - ☐ Destruction (No._____)
- ☐ Engineering Test Hole (No._____)
- ☐ Cathodic Protection Well
  - ☐ New (No._____)
  - ☐ Destruction (No. _____)

Use

- X Agricultural
- ☐ Cathodic
- ☐ Domestic
- ☐ Industrial
- ☐ Monitoring
- ☐ Municipal

Estimate of anticipated annual pumping in acre feet per year

TBD by FCGMA
[FCGMA App. No. 0272]

Equipment

- X Rotary
- ☐ Hollow Stem
- ☐ Geoprobe
- ☐ Other (Describe)

_____

Proposed Construction

Well Depth 900'
Bore Diameter 26"

Casing

- X Steel — Diameter (in.) 16
- ☐ PVC — Wall Gauge (in) 0.312
- ☐ Other (Describe)

_____

Perforations

From 620 to 900 ft
From _____ to _____ ft
From _____ to _____ ft

Estimated Start Date: 1-Nov-2018

*NOTE: If proposed water supply well is within the area referenced in the Ventura County Well Ordinance No. 4468 Sec 4826.1-Water Well and Water Well Prohibition, your permit application must be accompanied by documentation that explains the reason for requesting a variance. If the proposed water supply will is in an area that is exempted from the moratorium, e.g. cities, FCGMA, etc., your permit application must be accompanied by the proper agency permit/approval.

I hereby agree to comply with all provisions of Ventura County Well Ordinance No. 4468, and all applicable State of California and local regulations pertaining to well construction, repair, modification and destruction. I also agree to comply with all conditions of the issued permit to include the submittal of post requirement documents and reports. I understand that any modification of the issued permit requires approval by the Manager, Water Resources Division and that the information contained herein becomes a part of the permit when issued.

Property Owner's Signature	Adele D. Poliquin	Date	7-13-18
Driller's Signature	Randy A Kendall	Date	9-12-2018
Registered Inspector's Signature (Applies to monitoring wells and borehole work)		Date	

STAFF EXHIBIT 04

On behalf of the Daily Family Trust, the owner of Assessor's Parcel No. 230-0-061-090, I hereby consent to the forgoing acknowledgment and support of the drilling of a replacement well on Assessor's Parcel No. 230-0-061-010 which will serve both parcels.

DAILY FAMILY TRUST

By: Noel Daily, Trustee

Bcc: Noel Daily & bevq@hvwonline.com

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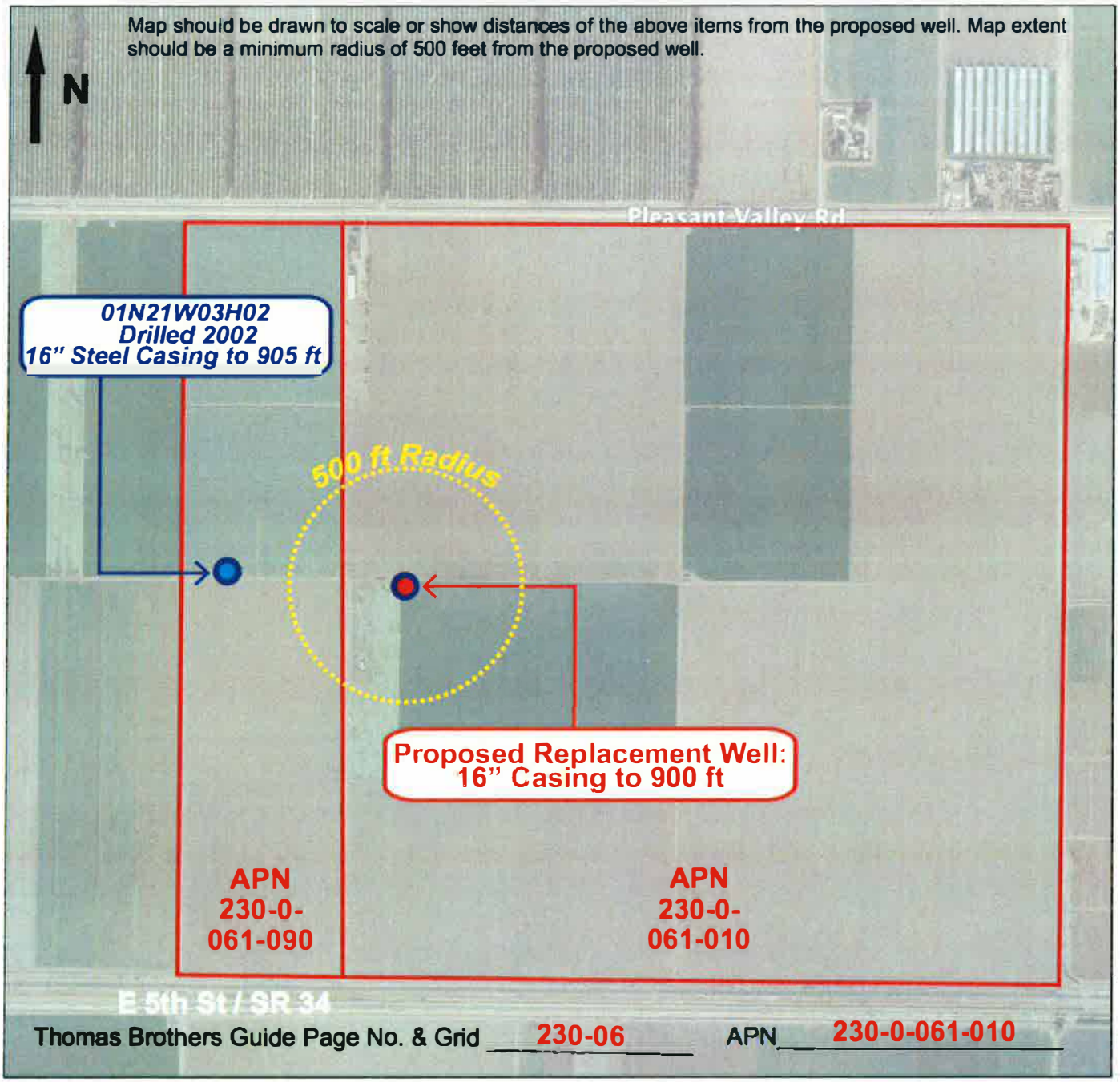
County of Ventura
APPLICATION FOR WELL PERMIT
800 South Victoria Avenue; Ventura, CA 93009-1610

Well Location Map / Site Plan: Indicate exact location of proposed well, showing existing wells, water courses, roads, property lines, septic tanks and leach fields, sanitary, industrial, and storm sewers, barnyard and stable areas, feedlots, and solid waste disposal sites. Setbacks from potential sources of contamination shall comply with the California Department of Water Resources *California Well Standards Bulletin 74-90* available at the below website address:
http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html



Thomas Brothers Guide Page No. & Grid 230-06 APN 230-0-061-010

Permit No._____

STAFF EXHIBIT 04

STAFF EXHIBIT 05

Riedel, Kathleen

From: bev <bevg@hvwonline.com>
Sent: Friday, June 19, 2020 2:03 PM
To: Jones, Kathy; Riedel, Kathleen
Cc: 'Alyssa Gutierrez'
Subject: Daily Property
Attachments: Fox Canyon Allocation 2005-2014.pdf; daily semi ann stmts.pdf

CAUTION: If this email looks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org

Kathy:

The allocation for the RN Daily Ranch is on the destroyed well 01N21W03H02 with comb code of OVP-OTR. The new well is 01N21W03H03 with comb code RNDCAM. Can you please combine both to RNDCAM or if it's easier since there is less reports, delete RNDCAM and transfer that usage to OVP-OTR.

We apologize for this error. We reviewed the well permit and see that we were supposed to keep the same comb code. When we completed the Fox Canyon registration form we left it blank instead of putting the OVP-OTR comb code so we ended up with a new comb code.

Thank you.

Bev

Beverly Gutierrez
HOFFMAN, VANCE & WORTHINGTON, INC.
1000 S. Seaward Avenue
Ventura, CA 93001
bevg@hvwonline.com
(805) 642-0211

STAFF EXHIBIT 06

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SEP 23 2019
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

Received 9/23/19 Initial JH
Check No 61808 Date 9/19/19
Amount of Check $ 7,887.84

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura CA, 93009
Phone (805) 645-1372 Fax (805) 654-3350
Email fcgma.report@ventura.org Web http://www.fcgma.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM
Primary Use: AG

Semi-Annual Code: 2018/19-2
Statement Number: SAES-2019-1-047396

Reporting Period: January 1, 2019 - July 31, 2019

Contact: **Hank Laubacher**
Well Operator: **Laubacher Farms, Inc.**
Address: **421 Eastwood Dr.**
City State Zip: **Oxnard CA 93030**
Telephone: **8054886191**
Email: **hankjr@laubacherfarms.com**

Due Date : 09/29/2019

Please carefully fill out fields 1-17, and return this form with required payment by the due date (postmarked by due date is O.K.). If returned late, you are required to self-assess interest on any unpaid extraction charges (Field 7 plus Field 9), and self-assess late penalty on any unpaid surcharges (Field 10). Do this by multiplying those by 1.5% times the number of whole months the payment is past due.

Pursuant to 2004 and 2006 amendments to the California Water Code Section, all groundwater extractions are reported to the State Water Resources Control Board by the FCGMA or its appointees. No additional fee is charged for this reporting. Your records will be made available to other governmental agencies and to the public, pursuant to Sections 5009(e)(4) and 5009(c) respectively of the California Water Code.

State Well Number	Meter S/N	Current Meter	1 Flow Meter Readings Current	- Previous	2 = Difference	3 x Mult.	4 / Div.	5 AF Extraction	6
RND Cam Ranch: 01N21W03H03									
Active	20151452-10	☐	55,533	51,605	3928	0.0100	1	39.28	
							Total Extraction (AF):		

**** PLEASE CALCULATE ACRE-FEET (AF) TO THE 3rd DECIMAL PLACE ****
If you get 50.0019 AF, correct entry = 50.002 AF
OR
If you get 55.0014 AF, correct entry = 55.001 AF

****NEW REQUIREMENT****
Effective 2019-1 reporting period, FCGMA requires photographs of all meter readings to be submitted with Semi-Annual Extraction Statements (SAES). This applies to all wells required to have a meter in accordance with Agency Ordinance Code.
Photo should include Meter Face with Meter Totalizer Reading.
Mail photos with SAES, Upload to www.fcgmaonline.org, or Email to: fcgma.report@ventura.org

ENTERED 9/25/19 JH

STAFF EXHIBIT 06

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura CA, 93009
Phone (805) 645-1372 Fax (805) 654-3350
Email fcgma.report@ventura.org Web http://www.fcgma.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM
Primary Use: AG
Semi-Annual Code: 2018/19-2
Statement Number: SAES-2019-1-047396

Reporting Period: January 1, 2019 - July 31, 2019

Fees

7	**Previous Balance:**	$	0.00
8	**Sustainability Fee:** [Total from Box 6: 39.28 AF x $6.50]	+$	255.32
9	**Extraction Charge:** [Total from Box 6: 39.28 AF x $6.00]	+$	235.68
10	**Surcharge:** [Exceedance: _____ AF] (See Surcharge Rates for breakdown)	+$	

Complete this section ONLY if past the due date (09/29/2019).

11	**Extraction Interest Charge:** [Extraction charge x 1.5% x month(s) overdue]	+$	
12	**Surcharge Late Penalty:** [Surcharge x 1.5% x month(s) overdue]	+$	
12	**Civil Penalty:** [$50.00 x day(s) overdue]	+$	
14	**Amount Waived:**	- $	
15	**Total Amount Due:** [Total of lines 7 through 14]	=	491.00
15	**Total Amount Enclosed:**		491.00

Please make payments to:
Fox Canyon Groundwater Management Agency
800 South Victoria Ave.
Ventura, CA 93009-1610

Include CombCode in memo line of check payment.

Overpumping Surcharge Rates

Start (AF)	End (AF)	Charge Per AF
0.00	25.000	$1,461.00
25.00	99.999	$1,711.00
100.00	> 100.000	$1,961.00

Irrigation Allowance

Crop Year 2018/2019 IAI Application Status: N/A.

Irrigation Allowance Index (IAI): N/A

To calculate surcharges due, if any, please enter the data from your Irrigation Allowance Index (IAI) Application in the table below.

	Acre-Feet
Water Applied:	101,000
Irrigation Allowance:	- 386.61
IAI Exceedance:	=

Agency-Wide Cap Calculation
(For Office Use Only)

Water Application:	AF/A
Agency-Wide Cap:	AF/A
Cap Exceedance:	**AF**

If after your submitted Irrigation Allowance Index (IAI) Application is reviewed, it is determined that the extractions from an Agricultural Extraction Facility are in excess of the Irrigation Allowance for 'Nursery (Greenhouse)', a surcharge will be assessed in accordance with Section 5.8.5.1 of the Ordinance Code.

Statement and Payment due by 09/29/2019. Failure to return this form and/or remit full payment by the due date shall make you subject to a civil penalty of $50 per day.

You may submit your statement online at https://www.fcgmaonline.org.

I declare under penalty of perjury that this Semi-Annual Groundwater Extraction Statement has been examined by me, and to the best of my knowledge and belief is a true, correct and complete statement.

17 Print Name: HENRY LAUBACHER Date: 9/15/2019

Signature: [signature]

THIS STATEMENT IS NOT COMPLETE UNLESS ALL QUESTIONS ARE ANSWERED AND SIGNATURE PROVIDED.

STAFF EXHIBIT 06

RECEIVED
SEP 23 2019
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura, CA 93009 - 1610
Phone (805) 645-1372 Fax (805) 654-3350
Websites www.fcgma.org OR www.fcgmaonline.org

ENTERED 9/25/19 JH

Annual Application for Efficiency Allocation

[Irrigation Allowance Index Method]

(Effective August 1, 2014)

Crop Year 2018/2019 (August 1, 2018 - July 31, 2019)

FCGMA CombCode: RND CTM

What is your ETO Zone (see attached map)? ZONE 2 Year Type: WET

Please complete the following tables for ALL water applied to irrigate your crops:

Groundwater Wells (List ALL State Well Nos.)	Extractions in Acre-feet: Aug - Dec		Jan - Jul		Yearly Total
01N21W03H03	0	+	39.28	=	39.28
		+		=	
		+		=	
		+		=	
		+		=	
Total Volume from Wells =					39.28 ①

Water Purveyor (Examples: UWCD and PVCWD)	Turnout No. / Meter No.	Deliveries in Acre-feet: Aug - Dec		Jan - Jul		Yearly Total
PVCWD	P-3C	0	+	61.726	=	61.726
			+		=	
Total Volume from Purveyor =						61.726 ②

Other Source: (Example: Neighbor's well with SWN)	Volume in Acre-feet: Aug - Dec		Jan - Jul		Yearly Total
		+		=	
		+		=	
Total Volume from Other Sources =					③

WATER APPLIED equals the sum of the total volume ①+②+③ = 101.006 ④

WATER APPLIED

Please complete tables for ALL irrigated acreage, crop categories & Irrigation Allowance:

Seasonal Crops (List specific crop category from Crop Irrigation Allowance table)	# of Irrigated Acres		Irrigation Allowance per Acre		% Complete for Crop Year		Irrigation Allowance per crop type
YEAR RND VEGGIES W/O CROP	263	x	3.5	x	42 %	=	386.61
		x		x	%	=	
		x		x	%	=	
		x		x	%	=	
Total Seasonal Crop Irrigation Allowance =							386.61 ⑤

Annual & Year-Round Crops (List specific crop category from Crop Irrigation Allowance table)	# of Irrigated Acres		Irrigation Allowance per Acre*		# of Irrigated Months in Crop Year		Months per Year		Irrigation Allowance per crop type
		x		x		/	12	=	
		x		x		/	12	=	
		x		x		/	12	=	
		x		x		/	12	=	
Total Annual Crop Irrigation Allowance =									⑥

*Irrigation Allowance/acre from FCGMA Crop Year Irrigation Allowance table (included).

Total Seasonal Crop Irrigation Allowance	⑤	386.61
+		
Total Annual Crop Irrigation Allowance	⑥	0
=		
Total Irrigation Allowance	⑦	④ 386.61 ⑦

TOTAL IRRIGATION ALLOWANCE

Irrigation Allowance Index (IAI) = WATER APPLIED divided by TOTAL IRRIGATION ALLOWANCE :

Irrigation Allowance Index (IAI) = ④ 101.006 / ⑦ 386.61 = 262 *(Rounded to the nearest tenth)*

Irrigated Acres is > APN Acres

Total Acres Irrigated	=	263

Note: Required to determine if your water application exceeded the Agency-Wide cap.

? Aren't sure how to calculate your Irrigated Acres? Use the "Example Calculations..." located on the Irrigation Allowance Index page of the Agency's website.

STAFF EXHIBIT 06

Annual Application for Efficiency Allocation

[Irrigation Allowance Index Method]

(Effective August 1, 2014)

Crop Year 2018/2019 (August 1, 2018 - July 31, 2019)

Assessor's Parcel Information

Please list **ALL** Assessor's Parcel Numbers for **ALL** irrigated acres, regardless of ownership, that are being supplied water by the groundwater well(s), water purveyor(s) and other sources with which this Annual Application for Efficiency Allocation represents.

List the first nine (9) digits of each Assessor's Parcel Number (APN) below (remove the last digit).

(Example: Your APN is 100-0-040-035 so you would list 100-0-040-03.)

(1) 230-0-061-01 (5) ___-___-___-___

(2) ___-___-___-___ (6) ___-___-___-___

(3) ___-___-___-___ (7) ___-___-___-___

(4) ___-___-___-___ (8) ___-___-___-___

Please include a map that clearly identifies the well location(s) and irrigated acres by crop category. We recommend you use the GIS Mapping Tool for this step.

Note: The GIS Mapping Tool can be found on the Irrigation Allowance Index page of the Agency's website.

The map must identify the following:
(1) Assessor's Parcel No(s).
(2) Well Location(s)
(3) Irrigated Acres by Crop Category

Complete documentation, including calculations, on water applied (groundwater well(s), water purveyor(s) and other sources) and Irrigation Allowance for the current year is required. Failure to submit complete documentation may result in denial of this application and a surcharge or assessment of a civil penalty per Resolution No. 2013-01.

"I declare under penalty of perjury under the laws of the State of California that the information contained in this application is true and correct."

LAUBACHER FARMS INC
Well Operator Name (please print)

PRESIDENT
Title

Well Operator Signature

9/15/2019
Date

Application for Efficiency Allocation Checklist:

☐ Completed/Signed Application (pages 1-2)

☐ Map(s) clearly identifying the well location(s) AND the irrigated acres by crop category

(For Office Use Only)

Executive Officer Approval:

☐ Approved

☐ Returned for Corrections

☐ Denied

FCGMA Stamp

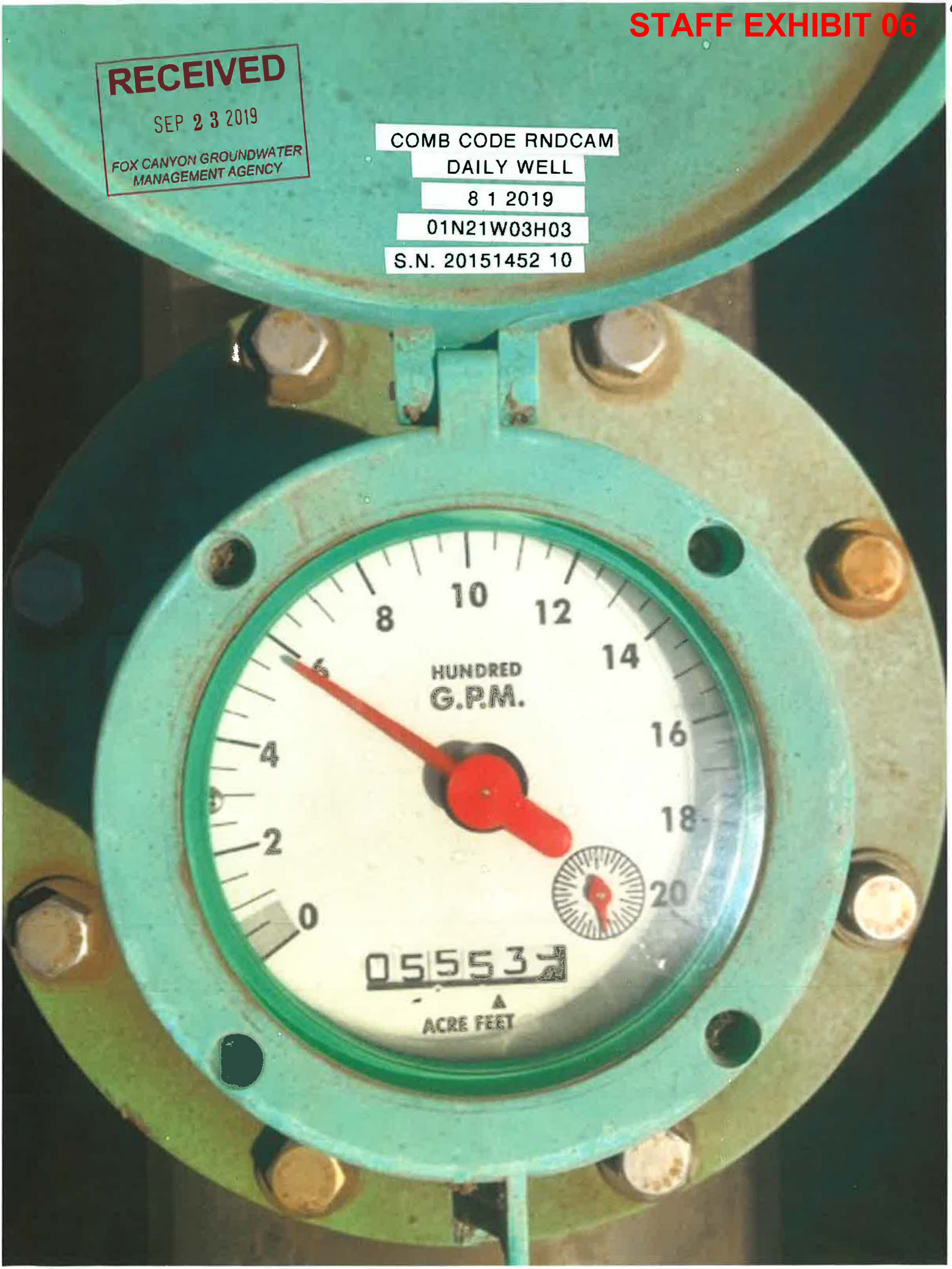
STAFF EXHIBIT 06

STAFF EXHIBIT 06

STAFF EXHIBIT 06

RECEIVED
SEP 23 2019
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

COMB CODE RNDCAM
DAILY WELL
8 1 2019
01N21W03H03
S.N. 20151452 10



STAFF EXHIBIT 06

STAFF EXHIBIT 06

RECEIVED
FEB 14 2020
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura CA, 93009-1610
Phone (805) 645-1372 Fax (805) 654-3350
Email fcgma.report@ventura.org Web www.fcgmaonline.org

Received 2/14/20 Initial CD
Check No 64418 Date 2/13/20
Amount of Check $ 12,337.99

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

PAID RNDCAM BRK LAUB

Comb Code: RNDCAM
Primary Use: AG

Semi-Annual Code: 2019/20-1
Statement Number: SAES-2019-2-047735

Reporting Period: August 1, 2019 - December 31, 2019

Contact:	**Hank Laubacher**
Well Operator:	**Laubacher Farms, Inc.**
Address:	**421 Eastwood Dr.**
City State Zip:	**Oxnard CA 93030**
Telephone:	**8054886191**
Email:	**hankjr@laubacherfarms.com**

PROCESSED ELECTRONICALLY WITH FCGMA ONLINE

Due Date : 02/21/2020

Please carefully fill out fields 1-17, and return this form with required payment by the due date (postmarked by due date is O.K.). If returned late, you are required to self-assess interest on any unpaid extraction charges (Field 7 plus Field 9), and self-assess late penalty on any unpaid surcharges (Field 10). Do this by multiplying those by 1.5% times the number of whole months the payment is past due.

Pursuant to 2004 and 2006 amendments to the California Water Code Section, all groundwater extractions are reported to the State Water Resources Control Board by the FCGMA or its appointees. No additional fee is charged for this reporting. Your records will be made available to other governmental agencies and to the public, pursuant to Sections 5009(e)(4) and 5009(c) respectively of the California Water Code.

			1	2	3	4	5	6
State Well Number	**Meter S/N**	**Current Meter**	**Flow Meter Readings Current**	**- Previous**	**= Difference**	**x Mult.**	**/ Div.**	**AF Extraction**
RND Cam Ranch: 01N21W03H03								
Active	20151452-10	☑	62031	55,533		0.0100	1	64,980
							Total Extraction (AF):	

**** PLEASE CALCULATE ACRE-FEET (AF) TO THE 3rd DECIMAL PLACE ****

If you get 50.0019 AF, correct entry = 50.002 AF

OR

If you get 55.0014 AF, correct entry = 55.001 AF

****NEW REQUIREMENT****

Effective 2019-1 reporting period, FCGMA requires photographs of all meter readings to be submitted with Semi-Annual Extraction Statements (SAES). This applies to all wells required to have a meter in accordance with Agency Ordinance Code.

Photo should include Meter Face with Meter Totalizer Reading.

Mail photos with SAES or Email to: fcgma.report@ventura.org

STAFF EXHIBIT 06

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura CA, 93009-1610
Phone (805) 645-1372 Fax (805) 654-3350
Email fcgma.report@ventura.org Web www.fcgmaonline.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM
Primary Use: AG
Semi-Annual Code: 2019/20-1
Statement Number: SAES-2019-2-047735

Reporting Period: August 1, 2019 - December 31, 2019

Fees

7	**Previous Balance:**	$ 0.00
8	**Sustainability Fee*:** [Total from Box 6: 64.980 AF x $11.00]	+$ 714.78
9	**Extraction Charge:** [Total from Box 6: 64.980 AF x $6.00]	+$ 389.88
10	**Surcharge:** [Exceedance: _____ AF] (See Surcharge Rates for breakdown)	+$ N/A

Complete this section ONLY if past the due date (02/21/2020).

11	**Extraction Interest Charge:** [Extraction charge x 1.5% x month(s) overdue]	+$
12	**Surcharge Late Penalty:** [Surcharge x 1.5% x month(s) overdue]	+$ N/A
13	**Civil Penalty:** [$50.00 x day(s) overdue]	+$
14	**Amount Waived:**	- $
15	**Total Amount Due:** [Total of lines 7 through 14]	= 1104.66
16	**Total Amount Enclosed:**	1104.66 ✓

Please make payments to:
Fox Canyon Groundwater Management Agency
800 South Victoria Ave.
Ventura, CA 93009-1610

*The Sustainability Fee was adopted by the Board to fund costs of the Groundwater Sustainability Program per Resolution 2015-04, dated September 23, 2015. Resolution 2019-03 increased to $11.00 per AF effective August 1, 2019.

Statement and Payment due by 02/21/2020. Failure to return this form and/or remit full payment by the due date shall make you subject to a civil penalty of $50 per day.

You may submit your statement online at https://www.fcgmaonline.org.

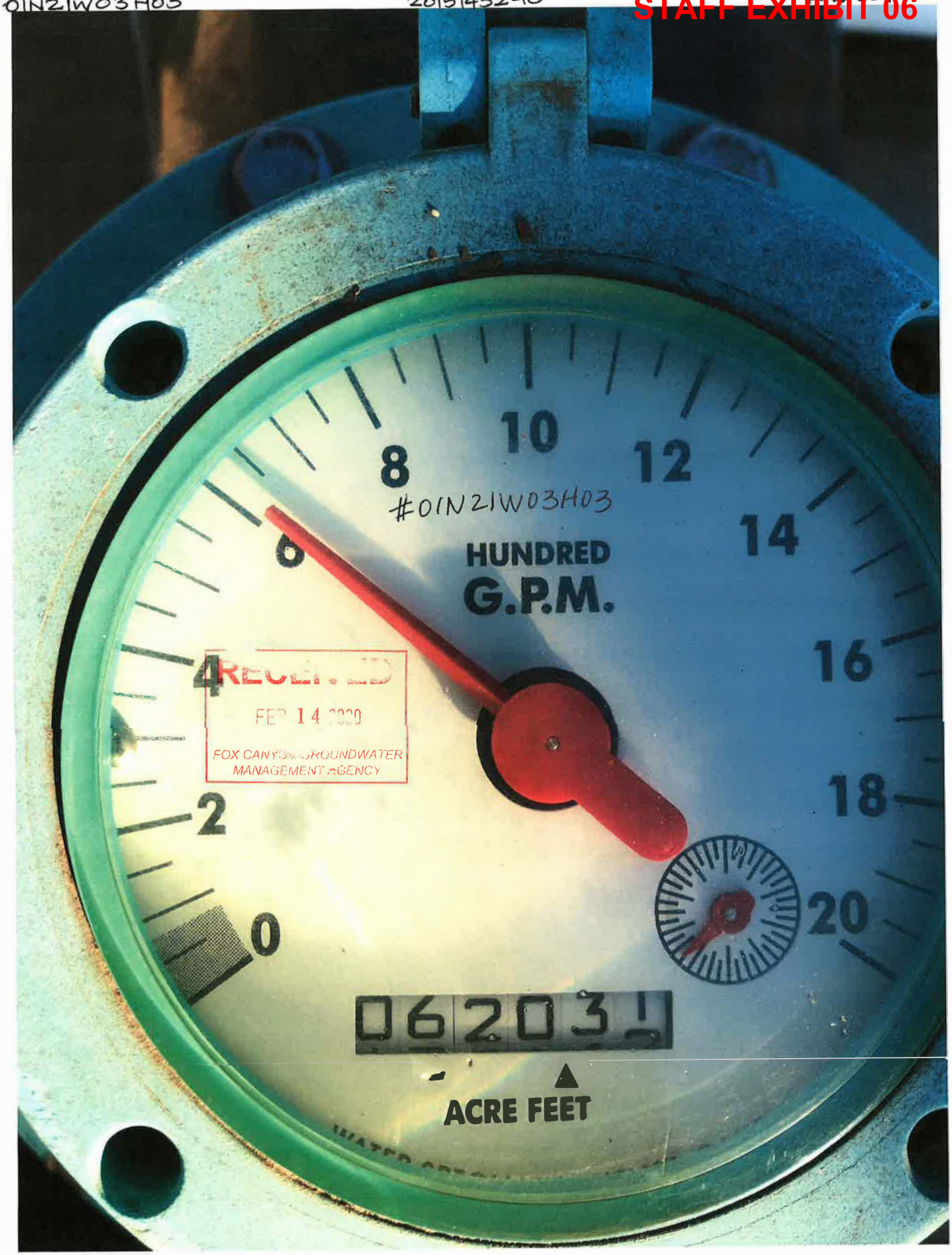
I declare under penalty of perjury that this Semi-Annual Groundwater Extraction Statement has been examined by me, and to the best of my knowledge and belief is a true, correct and complete statement.

17 Print Name: HENRY LAUBACHER

Date: 2/13/2020

Signature: [signature]

THIS STATEMENT IS NOT COMPLETE UNLESS ALL QUESTIONS ARE ANSWERED AND SIGNATURE PROVIDED.


01N21W03H03
20151452-10
STAFF EXHIBIT 06
#01N21W03H03
HUNDRED
G.P.M.
RECEIVED
FEB 14 2020
FOX CANYON GROUNDWATER
MANAGEMENT AGENCY
06203
ACRE FEET

STAFF EXHIBIT 07

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura CA, 93009-1610
Phone (805) 645-1372 Fax (805) 654-3350
Email fcgma.report@ventura.org Web www.fcgmaonline.org

RECEIVED
APR 19 2022
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

Received 4/19/22 Initial CD
Check No. 67919 Date 4/18/22
Amount of Check $ 40,950.50
SHORT $50 CD

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

SHORT SURCHARGES $561,382.52 #25427

Comb Code: RNDCAM **DWR Basin:** PV **Semi-Annual Code:** 2021-2
Primary Use: AG **Statement Number:** SAES-2021-2-049729

Reporting Period: April 1, 2021 - September 30, 2021

Contact: **Hank Laubacher**
Well Operator: **Laubacher Farms, Inc.**
Address: **421 Eastwood Dr.**
City State Zip: **Oxnard CA 93030**
Telephone: **8054886191**
Email: **hankjr@laubacherfarms.com; hanksr@laubacherfarms.c**

PROCESSED ELECTRONICALLY WITH FCGMA ONLINE

Due Date : 04/10/2022

Please carefully fill out fields 1-18, and return this form with required payment by the due date (postmarked by due date is acceptable). If returned late, you are required to self-assess interest on any unpaid extraction charges (Field 7 plus Field 10), and self-assess late penalty on any unpaid surcharges (Field 11). Do this by multiplying those by 1.5% times the number of whole months the payment is past due.

Pursuant to 2004 and 2006 amendments to the California Water Code Section, all groundwater extractions are reported to the State Water Resources Control Board by the FCGMA or its appointees. No additional fee is charged for this reporting. Your records will be made available to other governmental agencies and to the public, pursuant to Sections 5009(e)(4) and 5009(c) respectively of the California Water Code.

State Well Number	Meter S/N	Check Box for Current Meter	1 Flow Meter Readings Current (Sep. 30, 2021)	-	2 Previous (Mar. 31, 2021)	=	3 Difference	x	4 Mult.	/	5 Div. Unit/AF	6 AF Extraction
RND Cam Ranch: 01N21W03H03												
Active	20151452-10	☑	102,702		85,117		17,585		0.0100		1	175.850
											Total Extraction (AF):	175.850

**** PLEASE CALCULATE ACRE-FEET (AF) TO THE 3rd DECIMAL PLACE ****
If you get 50.0019 AF, correct entry = 50.002 AF
OR
If you get 55.0014 AF, correct entry = 55.001 AF

Flowmeter Photo Requirement

Effective 2019-1, FCGMA requires photographs of all meter readings to be submitted with groundwater extraction statements.
This applies to all wells required to have a meter in accordance with Agency Ordinance Code.
Photo should include Meter Face with Meter Totalizer Reading.
Mail photos with SAES or Email to: fcgma.report@ventura.org

STAFF EXHIBIT 07

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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura CA, 93009-1610
Phone (805) 645-1372 Fax (805) 654-3350
Email fcgma.report@ventura.org Web www.fcgmaonline.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM **DWR Basin:** PV **Semi-Annual Code:** 2021-2
Primary Use: AG **Statement Number:** SAES-2021-2-049729

Reporting Period: April 1, 2021 - September 30, 2021

Fees

7	**Previous Balance:**	$ $0.00
8	**Reserve Fee:** [Total from Box 6: 175.850 AF x $20.00]	+$ 3517.00
9	**Sustainability Fee:** [Total from Box 6: 175.850 AF x $14.00]	+$ 2461.90
10	**Extraction Charge:** [Total from Box 6: 175.850 AF x $6.00]	+$ 1055.10
11	**Surcharge:** [Exceedance: _____ AF] (See Surcharge Rates for breakdown)	+$ ~~201,065.87~~

Complete this section ONLY if past the due date (04/10/2022).

12	**Extraction Interest Charge:** [Extraction charge x 1.50% x month(s) overdue]	+$
13	**Surcharge Late Penalty:** [Surcharge x 1.50% x month(s) overdue]	+$
14	**Civil Penalty:** [$50.00 x day(s) overdue]	+$
15	**Amount Waived:**	- $
16	**Total Amount Due:** [Total of lines 7 through 15]	= $ 7034.00
17	**Total Amount Enclosed:**	$ 7034.00

Overpumping Surcharge Rates		
Start (AF)	**End (AF)**	**Charge Per AF**
0.000	25.000	1,549.00
25.001	99.999	1,799.00
100.000	> 100.000	2,049.00

Extraction Allocation

****New Allocation Ordinance****

An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins was adopted by the Board on October 23, 2019, effective October 1, 2020 and last amended March 24, 2021. For details visit www.fcgma.org or email FCGMA@ventura.org to request a copy.

Additional Requirements for Reporting Extractions in accordance with Article 7 shall be reported on the enclosed form and due by the date displayed below.

Surcharge Calculation
(Water Year Oct. 1, 2020 - Sep. 30, 2021 ***ONLY*** per Sec. 5.7)

2021-1 Extractions: (Oct. 1, 2020 - Mar. 31, 2021)	113.380	AF
2021-2 Extractions: (Apr. 1, 2021 - Sep. 30, 2021)	+ 175.850	AF
TOTAL Water Year 2020 / 2021 Extractions: (Oct. 1, 2020 - Sep. 30, 2021)	289.230	AF

For water year beginning 10/1/2020 and ending 9/30/2021, surcharges shall be imposed on extractions exceeding the greater of: (A.) allocation established by OPV Ordinance; or (B.) reported extractions which did not incur surcharges in 2017/2018 Crop Year. (Sec. 5.7)

A. Extraction Allocation:	OR	B. Crop Year 2017/18 Extractions:
0.000 AF		0.000 AF

Surcharge Threshold:	0.000	AF
Previous Carryover Balance: +	0.000	AF
TOTAL Water Year 2020 / 2021 Extractions:	- 289.230	AF
Exceedance: =	0	AF

Carryover Calculation* (AF)
(Effective Water Year 2020 - 2021 per Article 8)
*Divided evenly among all wells with reported extractions on page 1.

Water Year (WY)	Unused Allocation	Carryover (Max 50% of Extraction Allocation)	Carryover Balance
2020 / 2021	19,397		

Statement and Payment due by 04/10/2022. Failure to return this form and/or remit full payment by the due date shall make you subject to a civil penalty of $50 per day.

You may submit your statement online at https://www.fcgmaonline.org.

I declare under penalty of perjury that this Semi-Annual Groundwater Extraction Statement has been examined by me, and to the best of my knowledge and belief is a true, correct and complete statement.

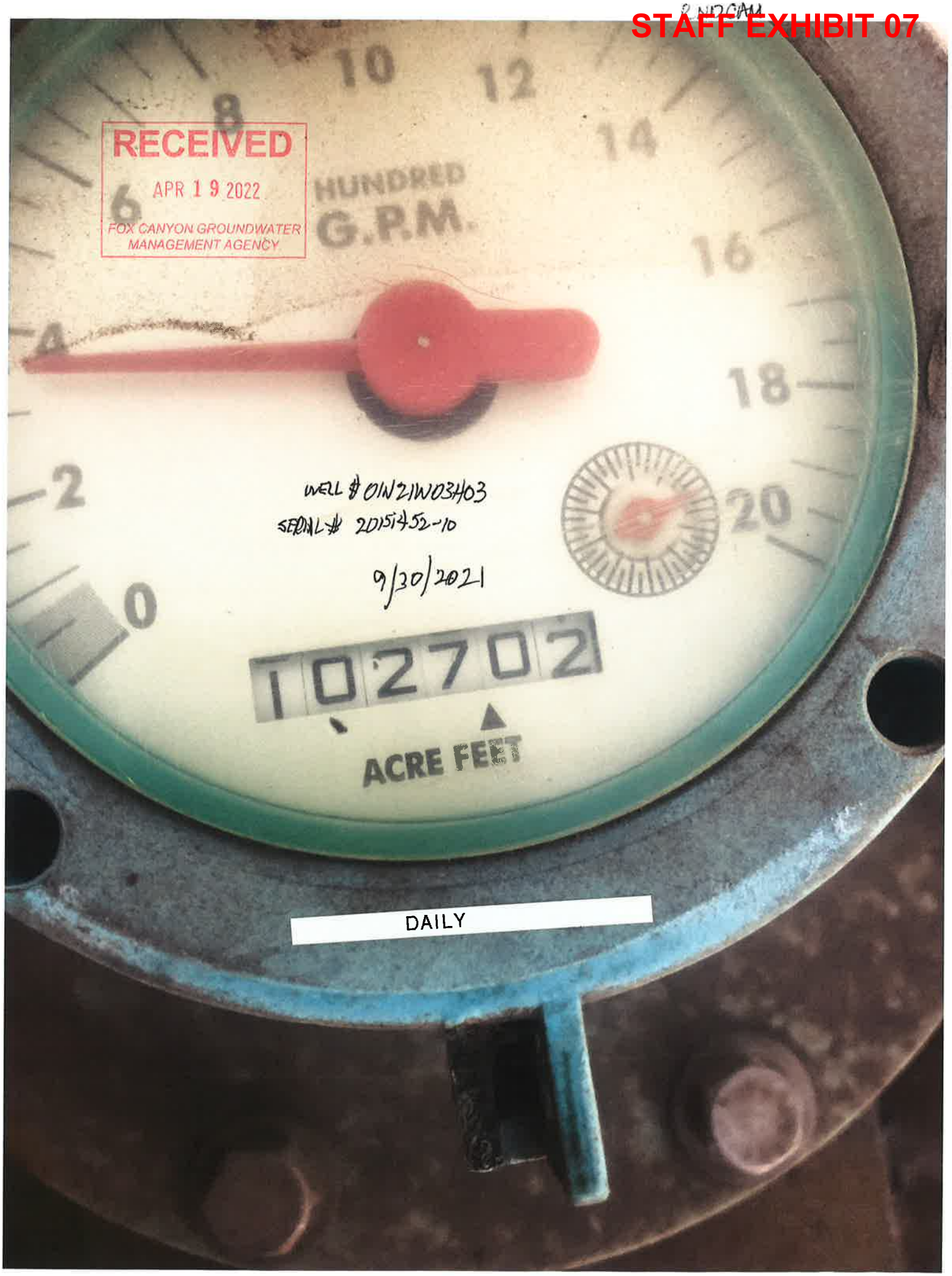
18 Print Name: Hank Laubacher Date: 4-10-2022

Signature: _____

THIS STATEMENT IS NOT COMPLETE UNLESS ALL QUESTIONS ARE ANSWERED AND SIGNATURE PROVIDED.

Make Payments to: Fox Canyon Groundwater Management Agency

STAFF EXHIBIT 07



STAFF EXHIBIT 07

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APR 19 2022
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 South Victoria Avenue, Ventura, CA 93009-1610
Phone (805) 645-1372 Fax (805) 654-3350
Websites www.fcgma.org OR www.fcgmaonline.org

OPV Allocation Ordinance

Additional Reporting Requirements for Agricultural Wells

Water Year 2020/2021 (October 1, 2020 - September 30, 2021)

Enter FCGMA CombCode here: RNDCAM

FORM MUST BE TYPED

Agricultural Operators in the Oxnard and Pleasant Valley Basins **shall provide all APNs irrigated with: 1) groundwater from wells, 2) water received from purveyors, or 3) any other source,** in accordance with the Ordinance to Establish Allocation System for Oxnard and Pleasant Valley Groundwater Basins, Article 7.1 for Agricultural Well Operators (effective October 1, 2020). This information is required to be reported at the end of each Water Year. List one APN and corresponding water sources per row. Should additional Water Sources require more rows leave APN field blank. List Irrigated Acres for each APN only once. Attach additional sheets as necessary. Fillable form is available at www.fcgma.org/semi-annual-extraction-statement/extraction-fees.

Assessor's Parcel Number (APN)			Water Sources Per APN				
			State Well Number (SWN):	Water Purveyor:		Other Groundwater Sources:	
	List all APNs with Irrigated acres. Use first nine (9) digits of each APN, omitting last digit.	Irrigated Acres (per APN)	List SWN(s) under CombCode entered above, supplying water to corresponding APN.	List Purveyors (UWCD, PVCWD, Camrosa, Cities, etc.) supplying water to corresponding APN. List Turnout / Meter # to corresponding to Purveyor.	Acre Feet (per Purveyor) Provide multiple turnout/meter breakdown separately.	List wells supplying water to corresponding APN (ie.: neighbors well).	Acre Feet (per SWN)
Example: #1	050-0-060-23	267.00	02N68W42V09	City of Camarillo 389, 748	26.832	01N54W78Z02	10.670
#2	060-0-051-10	76.278	02N68W43W10	UWCD P53	7.495	01N54W78Z02m2	4.358
			02N68W43W10m3	PVCWD M-81, X-35	3.298		
1	230-0-061-19	50.00	01N21W03H03	PVWD PC3	423.380		
	230-0-061-01	225.00		PVWD PC3			

STAFF EXHIBIT 07

RECEIVED
APR 19 2022
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNWATER MANAGEMENT AGENCY

800 South Victoria Avenue, Ventura, CA 93009-1610
Phone (805) 645-1372 Fax (805) 654-3350
Websites www.fcgma.org OR www.fcgmaonline.org

OPV Allocation Ordinance

Additional Reporting Requirements for Agricultural Wells

Water Year 2020/2021 (October 1, 2020 - September 30, 2021)

Assessor's Parcel Number (APN)		Water Sources Per APN				
		State Well Number (SWN):	Water Purveyor:		Other Groundwater Sources:	
	Irrigated Acres		Purveyor | Turnout / Meter #	Acre Feet		Acre Feet

Complete documentation, including APNs and all water sources for the current Water Year, is required to be submitted by an authorized representative of the Well Owner or designated Well Operator on record with the Agency. Failure to submit complete documentation may result in assessment of civil penalty in accordance with Resolution No. 2019-01.

"I declare under penalty of perjury under the laws of the State of California that the information contained within this document is true and correct."

Hank Laubacher
Authorized Well Owner or designated Well Operator (print name)

Authorized Well Owner or designated Well Operator (signature)

Laubacher Farms
Business Name

PO Box 1859 | Pt Hueneme | CA | 93044
Street Address / Suite | City | State | Zip

(805) 488-6191 | hanksr@laubacherfarms.com
Phone Number | Email Address

04/08/2022
Date

☐ Well Owner
☑ Well Operator

STAFF EXHIBIT 08

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue | Ventura, CA 93009-1610 | (805) 645-1372 | FCGMA.Report@ventura.org | www.FCGMAOnline.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM **Due Date : 12/01/2023** **Semi-Annual Code:** 2023-2

Primary Use: AG **DWR Basin:** PV **Statement Number:** SAES-2023-2-051533

Reporting Period: April 1, 2023 - September 30, 2023

Contact: **Hank Laubacher**
Well Operator: **Laubacher Farms, Inc.**
Address: **PO Box 1859**
City State Zip: **Port Hueneme CA 93044**
Telephone: **8054886191**
Email: **hankjr@laubacherfarms.com; hanksr@laubacherfarms.com**

Please carefully fill out fields 1-18, and return this form with required payment by the due date (postmarked by due date is acceptable). If returned late, you are required to self-assess interest on any unpaid extraction charges (Field 7 plus Field 10), and self-assess late penalty on any unpaid surcharges (Field 11). Do this by multiplying the extraction and surcharge amounts by 1.5% times the number of whole months the payment is past due.

Pursuant to 2004 and 2006 amendments to the California Water Code Section, all groundwater extractions are reported to the State Water Resources Control Board by the FCGMA or its appointees. No additional fee is charged for this reporting. Your records may be made available to other governmental agencies, pursuant to Sections 5009(e)(4) and 5009(c) respectively of the California Water Code.

State Well Number	Meter S/N	Check Box for Current Meter	1 Flow Meter Readings Current (Sep. 30, 2023)	- 2 Previous (Mar. 31, 2023)	= 3 Difference	x 4 Mult.	/ 5 Div. Unit/AF	6 AF Extraction
New - 6/20/2002: 01N21W03H02								
Destroyed		☐						Destroyed
RND Cam Ranch: 01N21W03H03								
Active	20151452-10	☐	124,524	122,183	2,341	0.0100	1	23.410
							Total Extraction (AF):	**23.410**

CALCULATE ACRE-FEET (AF) TO THE 3rd DECIMAL PLACE (Example: 50.0019 AF = 50.002 AF)

Upload Meter Photos at FCGMAOnline.org

Photographs of all meter readings are required to be submitted with each extraction statement before the SAES due date.
This applies to all wells requiring a meter in accordance with Agency Ordinance Code .
Photo(s) shall include meter face with totalizer reading, multiplier and units.

STAFF EXHIBIT 08

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue | Ventura, CA 93009-1610 | (805) 645-1372 | FCGMA.Report@ventura.org | www.FCGMAOnline.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM **Due Date : 12/01/2023** **Semi-Annual Code:** 2023-2

Primary Use: AG **DWR Basin:** PV **Statement Number:** SAES-2023-2-051533

Reporting Period: April 1, 2023 - September 30, 2023

Fees

7	**Previous Balance:**	$ $1,200.00
8	**Reserve Fee:** [Total from Box 6: 23.410 AF x $20.00]	+$ 468.20
9	**Sustainability Fee:** [Total from Box 6: 23.410 AF x $29.00]	+$ 678.89
10	**Extraction Charge:** [Total from Box 6: 23.410 AF x $6.00]	+$ 140.46
11	**Surcharge:** [Exceedance: 0.000 AF] (See Surcharge Rates for breakdown)	+$

Complete this section ONLY if past the due date (12/01/2023).

12	**Extraction Interest Charge:** [Extraction charge x 1.50% x month(s) overdue]	+$
13	**Surcharge Late Penalty:** [Surcharge x 1.50% x month(s) overdue]	+$
14	**Civil Penalty:** [$50.00 x day(s) overdue]	+$
15	**Amount Waived:**	- $
16	**Total Amount Due:** [Total of lines 7 through 15]	= $ 2,487.55
17	**Total Amount Enclosed:**	$ 1,287.55

Include CombCode in memo line of check payment. Limit one CombCode per check. **Check No:**

Water Year 2022 / 2023 Fee Schedule

Fee Type	Amount	Unit	AF Exceedance Range	Resolution
Extraction	$6	AF	-	2014-02
Sustainability	$29	AF	-	2022-05
Reserve	$20	AF	-	2020-05
Civil Penalty	$50	x Days Late	-	2019-1
Extraction Interest	1.5%	x Months Late	-	2.4.2
Surcharge Interest	1.5%	x Months Late	-	5.8.6.2
Surcharge Tier 1	$1841	AF	0.000 - 25.000	2022-06
Surcharge Tier 2	$2091	AF	25.001 - 99.999	2022-06
Surcharge Tier 3	$2341	AF	>100.000	2022-06

Surcharges, if incurred, are assessed at the end of the Water Year on the "-2" statement.
For more information regarding fees, visit www.FCGMA.org/Public-Documents/Resolutions.

Extraction Allocation

An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins was adopted by the Board on October 23, 2019, and became operative October 1, 2020. For details go to *Allocation* at www.fcgma.org.

Surcharge Calculation
(Water Year Oct. 1, 2022 - Sep. 30, 2023)

2023-1 Extractions: (Oct. 1, 2022 - Mar. 31, 2023)		38.740 AF
2023-2 Extractions: (Apr. 1, 2023 - Sep. 30, 2023)	+	23.410 AF
TOTAL Water Year 2022 / 2023 Extractions: (Oct. 1, 2022 - Sep. 30, 2023)		62.150 AF

For water year beginning Oct. 1, 2022 and ending Sep. 30, 2023, surcharges shall be imposed on extractions exceeding the allocation established by OPV Ordinance.

Initial Extraction Allocation:		308.627 AF
Permanent Variance:		0.000 AF
2022 / 2023 Temporary Variance:		0.000 AF
2022 / 2023 Extraction Allocation:		308.627 AF
Previous Carryover Balance:	+	154.314 AF
Surcharge Threshold:		462.941 AF
TOTAL Water Year 2022 / 2023 Extractions:		62.150 AF
Exceedance:		**0.000 AF**

If the Total Water Year 2022 / 2023 Extractions are **GREATER** than the Surcharge Threshold, then there is an exceedance. **Exceedance** = Total Water Year 2022 / 2023 Extractions - Surcharge Threshold.

Carryover Calculation* (AF)
(Effective Water Year Oct. 1, 2022 - Sep. 30, 2023 per Article 8)
*Divided evenly among all wells with reported extractions on page 1.

Water Year (WY)	Unused Allocation	Carryover (Max 50% of Extraction Allocation)	Carryover Balance
2022 / 2023	308.627	154.314	246.478

STAFF EXHIBIT 08

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue | Ventura, CA 93009-1610 | (805) 645-1372 | FCGMA.Report@ventura.org | www.FCGMAOnline.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date : 12/01/2023**		**Semi-Annual Code:**	**2023-2**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2023-2-051533**

Reporting Period: April 1, 2023 - September 30, 2023

Statement, Photos, Additional Reporting Requirements Form and Payment are due by 12/01/2023.
Failure to remit all items by the due date shall make you subject to a civil penalty of $50 per day.

Online reporting and meter photo upload is available at FCGMAOnline.org.

I declare under penalty of perjury that this Semi-Annual Groundwater Extraction Statement has been examined by me, and to the best of my knowledge and belief is a true, correct and complete statement.

Date: _____

18 Print Name: _____ Signature: _____

THIS STATEMENT IS NOT COMPLETE UNLESS ALL QUESTIONS ARE ANSWERED AND SIGNATURE PROVIDED.

Make Payments to: Fox Canyon Groundwater Management Agency
Include CombCode in memo line of check payment.
Limit one CombCode per check.

STAFF EXHIBIT 08

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date : 12/01/2023**		**Semi-Annual Code:**	**2023-2**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2023-2-051533**

Reporting Period: April 1, 2023 - September 30, 2023

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date :**	**02/03/2025**	**Semi-Annual Code:**	**2024-2**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2024-2-052259**

Reporting Period: April 1, 2024 - September 30, 2024

Contact: ~~Hank Laubacher~~ Emilio C. Quezada
Well Operator: ~~Laubacher Farms, Inc.~~ JUDA FARMS
Address: **PO Box 1859**
City State Zip: **Port Hueneme CA 93044**
Telephone: **8054886191**
Email: **hankjr@laubacherfarms.com; hanksr@laubacherfarms.com**

Received 2/3/25 Initial EW
Check No. 310146 Date 2/3/25
Amount of Check $ 23.65 (18,324.01 total)
R#271316

Please carefully fill out fields 1-18, and return this form with required payment by the due date (postmarked by due date is acceptable). If returned late, you are required to self-assess interest on any unpaid extraction charges (Field 7 plus Field 10), and self-assess late penalty on any unpaid surcharges (Field 11). Do this by multiplying the extraction and surcharge amounts by 1.5% times the number of whole months the payment is past due.

Pursuant to 2004 and 2006 amendments to the California Water Code Section, all groundwater extractions are reported to the State Water Resources Control Board by the FCGMA or its appointees. No additional fee is charged for this reporting. Your records may be made available to other governmental agencies, pursuant to Sections 5009(e)(4) and 5009(c) respectively of the California Water Code.

State Well Number	Meter S/N	Check Box for Current Meter	1 Flow Meter Readings Current (Sep. 30, 2024)	2 Previous (Mar. 31, 2024)	3 = Difference	4 x Mult.	5 / Div. Unit/AF	6 AF Extraction
New - 6/20/2002: 01N21W03H02 Destroyed	—	☐	—	—	—	—	—	Destroyed
RND Cam Ranch: 01N21W03H03 Active	20151452-10	☐	127471	127,428	43	0.0100	1	.43
						Total Extraction (AF):		.43

CALCULATE ACRE-FEET (AF) TO THE 3rd DECIMAL PLACE (Example: 50.0019 AF = 50.002 AF)

Report Online and Upload Meter Photos at FCGMAOnline.org

Photographs of all meter readings are required to be submitted with each semi-annual extraction statement by the applicable due date. This requirement applies to all wells that are required to have a meter in accordance with Agency Ordinance Code. Photographs must provide a clear and legible image of the meter face with totalizer reading, multiplier, and units. Some operators may be required to submit more than one photograph per meter to capture readings of the totalizer, multiplier, and units, etc.

SAESs submitted without photographs, with illegible photographs, or with photographs that do not allow FCGMA to verify reported water use will be deemed incomplete and returned to the operator. SAES that are incomplete as of the applicable reporting period deadline will be subject to penalties under the Agency Ordinance Code or other applicable authority. (See FCGMA Resolution No. 2019-01.)

ENTERED 2/11/25
on 51K4-880
1/21/25

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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue | Ventura, CA 93009-1610 | (805) 645-1372 | FCGMA.Report@ventura.org | www.FCGMAOnline.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM **Due Date :** 02/03/2025 **Semi-Annual Code:** 2024-2
Primary Use: AG **DWR Basin:** PV **Statement Number:** SAES-2024-2-052259

Reporting Period: April 1, 2024 - September 30, 2024

Fees

7	**Previous Balance:**	$ $2,799.81
9	**Reserve Fee:** [Total from Box 6: .43 AF x $20.00]	+$ 8.60
9	**Sustainability Fee:** [Total from Box 6: .43 AF x $29.00]	+$ 12.47
10	**Extraction Charge:** [Total from Box 6: .43 AF x $6.00]	+$ 2.58
11	**Surcharge:** [Exceedance: — AF] (See Surcharge Rates for breakdown)	+$ —

Complete this section ONLY if past the due date (02/03/2025).

12	**Extraction Interest Charge:** [Extraction charge x 1.50% x month(s) overdue]	+$ —
13	**Surcharge Late Penalty:** [Surcharge x 1.50% x month(s) overdue]	+$ —
14	**Civil Penalty:** [$50.00 x day(s) overdue]	+$ —
15	**Amount Waived:**	- $ —
15	**Total Amount Due:** [Total of lines 7 through 15]	= $ 23.65
17	**Total Amount Enclosed:**	$ 23.65

Include CombCode in memo line of check payment. Limit one CombCode per check. **Check No:**

Water Year 2023 / 2024 Fee Schedule

Fee Type	Amount	Unit	AF Exceedance Range	Resolution
Extraction	$6	AF	-	2014-02
Sustainability	$29	AF	-	2022-05
Reserve	$20	AF	-	2024-05
Civil Penalty	$50	x Days Late	-	2019-1
Extraction Interest	1.5%	x Months Late	-	2.4.2
Surcharge Interest	1.5%	x Months Late	-	5.8.6.2
Surcharge Tier 1	$1929	AF	0.000 - 25.000	2024-03
Surcharge Tier 2	$2179	AF	25.001 - 99.999	2024-03
Surcharge Tier 3	$2429	AF	>100.000	2024-03

Surcharges, if incurred, are assessed at the end of the Water Year on the "-2" statement.
For more information regarding fees, visit www.FCGMA.org/Public-Documents/Resolutions.

Extraction Allocation

An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins was adopted by the Board on October 23, 2019, and became operative October 1, 2020. For details go to *Allocation* at www.fcgma.org.

Surcharge Calculation
(Water Year Oct. 1, 2023 - Sep. 30, 2024)

2024-1 Extractions: (Oct. 1, 2023 - Mar. 31, 2024)	29.040 AF
2024-2 Extractions: (Apr. 1, 2024 - Sep. 30, 2024) +	.43 AF
TOTAL Water Year 2023 / 2024 Extractions: (Oct. 1, 2023 - Sep. 30, 2024)	29.47 AF

For water year beginning Oct. 1, 2023 and ending Sep. 30, 2024, surcharges shall be imposed on extractions exceeding the allocation established by OPV Ordinance.

Initial Extraction Allocation:	308.627 AF
Permanent Variance:	0.000 AF
2023 / 2024 Temporary Variance:	0.000 AF
2023 / 2024 Extraction Allocation:	308.627 AF
Previous Carryover Balance: +	246.478 AF
Surcharge Threshold:	555.105 AF
TOTAL Water Year 2023 / 2024 Extractions:	29.47 AF
Exceedance:	0 AF

If the Total Water Year 2023 / 2024 Extractions are **GREATER** than the Surcharge Threshold, then there is an exceedance. **Exceedance** = Total Water Year 2023 / 2024 Extractions - Surcharge Threshold.

Carryover Calculation* (AF)
(Effective Water Year Oct. 1, 2023 - Sep. 30, 2024 per Article 8)
*Divided evenly among all wells with reported extractions on page 1.

Water Year (WY)	Unused Allocation	Carryover (Max 50% of Extraction Allocation)	Carryover Balance
2023 / 2024	279.157	154.314	154.314

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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue | Ventura, CA 93009-1610 | (805) 645-1372 | FCGMA.Report@ventura.org | www.FCGMAOnline.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date : 02/03/2025**		**Semi-Annual Code:**	**2024-2**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2024-2-052259**

Reporting Period: April 1, 2024 - September 30, 2024

Statement, Photos and Payment are due by 02/03/2025. Failure to remit all items by the due date shall make you subject to a civil penalty of $50 per day.

Online reporting and meter photo upload is available at FCGMAOnline.org.

I declare under penalty of perjury that this Semi-Annual Groundwater Extraction Statement has been examined by me, and to the best of my knowledge and belief is a true, correct and complete statement.

18 Print Name: Emilio C. Arezda

Date: 1/17/24

Signature: Emilio C Arezda

THIS STATEMENT IS NOT COMPLETE UNLESS ALL QUESTIONS ARE ANSWERED AND SIGNATURE PROVIDED.

Make Payments to: Fox Canyon Groundwater Management Agency
Include CombCode in memo line of check payment.
Limit one CombCode per check.

STAFF EXHIBIT 08

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date : 02/03/2025**		**Semi-Annual Code:**	**2024-2**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2024-2-052259**

Reporting Period: April 1, 2024 - September 30, 2024

STAFF EXHIBIT 08

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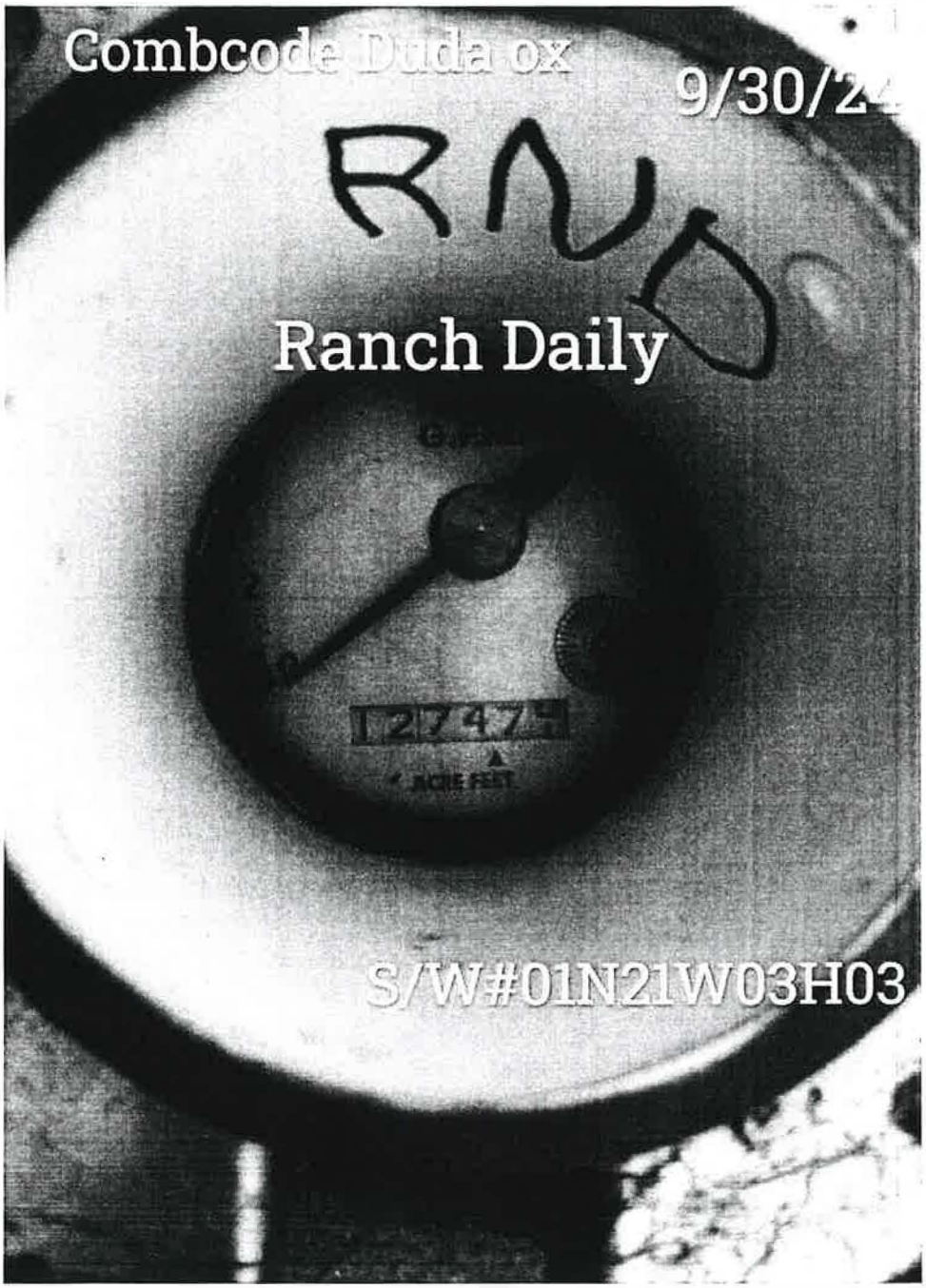

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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

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OPV Additional Reporting Requirements

Allocation Ordinance for Agricultural Wells

Water Year: October 1, 2023 - September 30, 2024

FCGMA CombCode: RNDCAM

COMPLETED FORM MUST BE LEGIBLE

Agricultural Operators in the Oxnard and Pleasant Valley Basins **shall provide all APNs irrigated with: 1) groundwater from wells, 2) water received from purveyors, or 3) any other source**, in accordance with the Ordinance to Establish an Allocation System for Oxnard and Pleasant Valley Groundwater Basins, Article 7.1 for Agricultural Well Operators. This information is required to be reported at the end of each Water Year. List one APN and corresponding water sources per row. Should additional Water Sources require more rows leave APN field blank. List Irrigated Acres for each APN only once. Attach additional sheets as necessary. Fillable forms are available at FCGMA.org/public-documents/forms/. Assessor information is available at assessor.countyofventura.org/assessor-data/property-search/.

Assessor's Parcel Number (APN)			Water Sources Per APN				
			State Well Number (SWN):	Water Purveyor:		Other Groundwater Sources:	
	List all APNs with irrigated acres. Use first nine (9) digits of each APN, omitting last digit.	Irrigated Acres (per APN)	List SWN(s) under CombCode entered above, supplying water to corresponding APN:	List Purveyors supplying water to corresponding APN. List Turnout / Meter # to corresponding to Purveyor.	Acre Feet (per Purveyor) Provide multiple turnout/meter breakdown separately.	List wells supplying water to corresponding APN (ie.: neighbors well). List N/A if not applicable:	Acre Feet (per SWN)
Example: #1	050-0-060-23	267.00	02N68W42V09	VC Water Works District 1 389, 748	26.832	01N54W78Z02	10.670
#2	060-0-051-10	76.278	02N68W43W10	VC Water Works District 19 P53	7.495	01N54W78Z02m2	4.358
			02N68W43W10m3	PVCWD M-81, X-35	3.298		
	230006101	215.000	02N21W03H03	P3-C	310.843		
	230006119	48.200	02N21W03H03		29.470		

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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

CombCode: RNDCAM

OPV Additional Reporting Requirements

Allocation Ordinance for Agricultural Wells

COMPLETED FORM MUST BE LEGIBLE

Water Year: October 1, 2023 - September 30, 2024

Assessor's Parcel Number (APN)		Water Sources Per APN				
		State Well Number (SWN):	Water Purveyor:		Other Groundwater Sources:	
	Irrigated Acres		Purveyor | Turnout / Meter #	Acre Feet		Acre Feet

Complete documentation, including APNs and all water sources for the current Water Year, is required to be submitted by an authorized representative of the Well Owner or designated Well Operator on record with the Agency. Failure to submit complete documentation may result in assessment of civil penalties in accordance with Resolution No. 2019-01.

I declare under penalty of perjury under the laws of the State of California that the information contained within this document is true and correct.

Emilio C. Quezada
Name of Authorized Well Owner / designated Well Operator

Signature of Authorized Well Owner / designated Well Operator

Well Owner ✔ Well Operator

Duda Farm Fresh Foods Inc
Business Name

860 Pacific Ave | Oxnard | CA | 93030
Street Address / Suite | City | State | Zip

(805) 432-3351 | emilio.quezada@duda.com
Phone Number | Email Address

01/20/2025
Date

I have supplemental reporting information, and it will be compiled electronically and emailed along with this signed, completed form to FCGMA.Report@ventura.org.

STAFF EXHIBIT 08

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FEB 03 2025

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

ORIGIN ID:SFBA
SHERYL BRUCE
A. DUDA & SONS, IN
1200 DUDA TRAIL

OVIEDO, FL 32765
UNITED STATES US

ATE: 03FEB25
WGT: 0.50 LB
AD: 104591819/INET4535

BILL SENDER

TO FOX CANYON G DWATER MANAGMENT

800 S. VICTORIA AVE.

VENTURA CA 93009
(805) 654-2014 REF:
INV:
PO: CCN: 8177 DEPT:

58CJ2/E49C/C6C4

FedEx Express

TRK#

B 10:30A
ERNIGHT

County of Ventura
To: 1610 - PWA-Watershed

RECEIVED
FEB 04
PUBLIC W
CENT

93009
BUR

City: Ventura
Zip: 93009
Route: HOARoute
Requestor: HOARoute

1610

771844893664

Made from 100% recycled paperboard

Scan to learn how we can help make Earth a priority together.

07/03/24 01:42

STAFF EXHIBIT 09

Riedel, Kathleen

From: Roy Schneider <rschneider@rstlegal.com>
Sent: Friday, June 26, 2020 3:37 PM
To: Riedel, Kathleen
Subject: FW: Has Authorization Form been filed for 01N21W03H02?
Attachments: SKMBT_C28020062212460.pdf; SKMBT_C28020062309090.pdf

CAUTION: If this email looks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org

Hi Kathleen: Thank you for speaking with me yesterday regarding the above-subject. As you can see, the Ranch Manager is worried. I just want to follow up with you and clarify that the attached Allocation form does not have to be filed by June 30th and that if it is not, the two parcels will not lose their water allocation. There is one well operator for the replaced well and he is leasing both parcels for his farming operation. I know Bev and my clients will rest a bit easier if they aren't worried about losing water because the Allocation Transfer form wasn't timely submitted. As I explained, the parties may be moving forward with a Well Sharing Agreement and the owner of the destroyed well, situated on a separate parcel from the one where the well now sits, would like to have that in place before transferring the allocation. Can you please confirm our understanding. Thanks so much and have a great weekend. Roy

Roy Schneider
Attorney at Law

Schneiders & Associates LLP
A BUSINESS LAW FIRM

www.rstlegal.com | 805-764-6370

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From: Roy Schneider <rschneider@rstlegal.com>
Sent: Friday, June 26, 2020 3:27 PM
To: 'Deanne Daily' <deannedaily@gmail.com>; Noel Daily <nndaily@roadrunner.com>
Subject: Fwd: Has Authorization Form been filed for 01N21W03H02?

Hi. Here is the latest from Bev and her communications with Fox Canyon. Still waiting to hear from water law firm. I think the destroyed well and new well have same CompCode.

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

From: bev <bevg@hvwonline.com>
Sent: Friday, June 26, 2020 3:16:26 PM
To: Roy Schneider <rschneider@rstlegal.com>
Subject: Has Authorization Form been filed for 01N21W03H02?

Roy:

We have been going back and forth with Kathleen on this subject. The best way to answer your question is to share the email thread below. It's frustrating to say the least. I remain extremely concerned that there could be some technicality regarding our well transfer that could jeopardize our allocation. **It's just not worth the risk**, we need to submit the request before June 30th as a safety measure to ensure we don't lose our water allocation.

Bev

Beverly Gutierrez
HOFFMAN, VANCE & WORTHINGTON, INC.
1000 S. Seaward Avenue
Ventura, CA 93001
bevg@hvwonline.com
(805) 642-0211

From: Riedel, Kathleen [mailto:Kathleen.Riedel@ventura.org]
Sent: Friday, June 26, 2020 11:57 AM
To: Alyssa Gutierrez <alyssa@hvwonline.com>
Cc: Jones, Kathy <Kathy.Jones@ventura.org>; Gutierrez, Beverly <bevg@hvwonline.com>
Subject: Has Authorization Form been filed for 01N21W03H02?

Good Morning Alyssa,

Has an authorization form been submitted for Laubacher Farms to operate destroyed well 01N21W03H02? The well is currently associated with a different operator in our data base.

Best regards,
Kathleen

Kathleen Riedel, PG, CEG
Groundwater Specialist
Fox Canyon Groundwater Management Agency, and VC Public Works Agency - Watershed Protection
(805) 654-2954
kathleen.riedel@ventura.org<mailto:kathleen.riedel@ventura.org>

From: Alyssa Gutierrez <alyssa@hvwonline.com<mailto:alyssa@hvwonline.com>>
Sent: Friday, June 26, 2020 11:25 AM
To: Riedel, Kathleen <Kathleen.Riedel@ventura.org<mailto:Kathleen.Riedel@ventura.org>>

Cc: Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>; Gutierrez, Beverly <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Subject: RE: Combining wells RE: Daily allocation

Kathleen,

There was only ever one well in operation at a time. We only had one tenant at a time.

The same tenant, Laubacher Farms, is on both parcels. His leases were effective as of 2/1/19.

Prior to that, Oceanview Produce was leasing both parcels.

Does that help?

Alyssa Gutierrez
Hoffman, Vance & Worthington
1000 S. Seaward Avenue
Ventura, California 93001
Phone (805) 642-0211

From: Riedel, Kathleen
<Kathleen.Riedel@ventura.org<mailto:Kathleen.Riedel@ventura.org>>
Sent: Friday, June 26, 2020 11:11 AM
To: Alyssa Gutierrez <alyssa@hvwonline.com<mailto:alyssa@hvwonline.com>>
Cc: Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>; Gutierrez, Beverly <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Subject: RE: Combining wells RE: Daily allocation

Good Morning Allyssa,

In response to your e-mail, see below. Timing of the combining wells of wells on to a single CombCode is important for reporting purposes. Based on information provided the two wells have different operators. It is not clear who the tenant/well operator is for the two wells. Based on communications, I understand that there is a contract for a tenant to farm the two parcels. Who is that tenant? When does or did that contract begin?

Best Regards,
Kathleen Riedel

Kathleen Riedel, PG, CEG
Groundwater Specialist
Fox Canyon Groundwater Management Agency, and VC Public Works Agency - Watershed Protection

(805) 654-2954
kathleen.riedel@ventura.org<mailto:kathleen.riedel@ventura.org>

From: Riedel, Kathleen
Sent: Friday, June 26, 2020 10:52 AM
To: bev <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Cc: Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>
Subject: Combining wells RE: Daily allocation

Good Morning Bev,

The June 30th date does not apply to combining two wells onto one CombCode.

Best Regards,
Kathleen Riedel

Kathleen Riedel, PG, CEG
Groundwater Specialist
Fox Canyon Groundwater Management Agency, and VC Public Works Agency - Watershed Protection
(805) 654-2954
kathleen.riedel@ventura.org<mailto:kathleen.riedel@ventura.org>

From: bev <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Sent: Friday, June 26, 2020 10:41 AM
To: Riedel, Kathleen <Kathleen.Riedel@ventura.org<mailto:Kathleen.Riedel@ventura.org>>
Cc: Loeb, Kim <Kim.Loeb@ventura.org<mailto:Kim.Loeb@ventura.org>>; Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>
Subject: RE: Daily transfer of allocation

Kathleen:

I do want to operate with one combcode. Just clarifying that there are 2 combcodes currently. One that exists on the old well and one for the new well. We are submitting our application to transfer from old well to new well. The stress of potentially issuing a deadline on a technicality is making me crazy so to be crystal clear, the deadline of June 30th does not apply to Daily Ranch if we are transferring one combcode from old well to a new combcode for new well.

Thanks.

Bev

Beverly Gutierrez

HOFFMAN, VANCE & WORTHINGTON, INC.
1000 S. Seaward Avenue
Ventura, CA 93001
bevg@hvwonline.com<mailto:bevg@hvwonline.com>
(805) 642-0211

From: Riedel, Kathleen [mailto:Kathleen.Riedel@ventura.org]
Sent: Friday, June 26, 2020 10:19 AM
To: Gutierrez, Beverly <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Cc: Loeb, Kim <Kim.Loeb@ventura.org<mailto:Kim.Loeb@ventura.org>>; Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>
Subject: RE: Daily transfer of allocation

Good Morning Bev,

Based on your e-mail below, is it your intention to operate the well SWN 01N21W03H03S inconsistent with the conditions in FCGMA Well Permit No 0272. Am I to understand that you are not planning on changing CombCodes as stated in your e-mail dated June 19, 2020 at 2:03 PM?

Best regards,
Kathleen Riedel

Kathleen Riedel, PG, CEG
Groundwater Specialist
Fox Canyon Groundwater Management Agency, and VC Public Works Agency - Watershed Protection
(805) 654-2954
kathleen.riedel@ventura.org<mailto:kathleen.riedel@ventura.org>

From: bev <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Sent: Friday, June 26, 2020 9:31 AM
To: Riedel, Kathleen <Kathleen.Riedel@ventura.org<mailto:Kathleen.Riedel@ventura.org>>
Cc: Loeb, Kim <Kim.Loeb@ventura.org<mailto:Kim.Loeb@ventura.org>>; Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>
Subject: RE: Daily transfer of allocation

Kathleen:

Thank you for your response. We don't have the same combcode for the destroyed well and the new well so we don't have a single combcode so it appears the June 30th deadline might be applicable?

STAFF EXHIBIT 09

Bev

Beverly Gutierrez
HOFFMAN, VANCE & WORTHINGTON, INC.
1000 S. Seaward Avenue
Ventura, CA 93001
bevg@hvwonline.com<mailto:bevg@hvwonline.com>
(805) 642-0211

From: Riedel, Kathleen [mailto:Kathleen.Riedel@ventura.org]
Sent: Thursday, June 25, 2020 4:51 PM
To: Gutierrez, Beverly <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Cc: Loeb, Kim <Kim.Loeb@ventura.org<mailto:Kim.Loeb@ventura.org>>; Jones, Kathy <Kathy.Jones@ventura.org<mailto:Kathy.Jones@ventura.org>>
Subject: RE: Daily transfer of allocation

Good Afternoon Bev,

The June 30th date is found in Section 11.7 of the Ordinance (copy appended) and applies to variances. Applications for corrections to reported extractions and brining reporting into compliance for non-reported periods are to be submitted by June 30. Transfers of allocation can occur after June 30th.

It is my understanding that a single tenant is to be farming APNs 230-0-061-090 and 230-0-061-010 under a single FCGMA account (CombCode).

Destroyed well SWN 01N21W03H02S is located on APN 230-0-061-090 (50.00 acres) owned by Daily Family Trust. Active well SWN 01N21W03H03S is located on APN 230-0-061-010 (225.22 acres) owned by Richard N Daily Trust. Well SWN 01N21W03H03S is new well that was not in operation during the new groundwater extraction allocation system base period. Destroyed well SWN 01N21W03H03S was operated during the new groundwater extraction allocation system base period and is associated with a groundwater extraction allocation. Fox Canyon Groundwater Management Agency Well Permit No. 0272 is appended for reference.

If both wells are operated under the same CombCode, then no transfer of allocation is needed.

Best Regards,
Kathleen Riedel

STAFF EXHIBIT 09

Kathleen Riedel, PG, CEG
Groundwater Specialist
Fox Canyon Groundwater Management Agency, and VC Public Works Agency - Watershed Protection
(805) 654-2954
kathleen.riedel@ventura.org<mailto:kathleen.riedel@ventura.org>

From: bev <bevg@hvwonline.com<mailto:bevg@hvwonline.com>>
Sent: Thursday, June 25, 2020 2:46 PM
To: Riedel, Kathleen <Kathleen.Riedel@ventura.org<mailto:Kathleen.Riedel@ventura.org>>
Subject: Daily

Kathleen:

Can you please put it in writing that the Daily transfer from the destroyed well L04 to M02 does not have a deadline of June 30th.

Thank you.

Bev

Beverly Gutierrez
HOFFMAN, VANCE & WORTHINGTON, INC.
1000 S. Seaward Avenue
Ventura, CA 93001
bevg@hvwonline.com<mailto:bevg@hvwonline.com>
(805) 642-0211

<Owner_Authorization_Form.pdf>

STAFF EXHIBIT 10

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF VENTURA

202200565916PRTR In Re Richard N Daily Separate Property Trust

Probate (Legacy) Trust
Filed: 05/20/2022

Case Summary

CASE & COMPLAINT / PETITION INFORMATION | PARTIES | FUTURE HEARINGS | ALL HEARINGS | REGISTER

CASE & COMPLAINT / PETITION INFORMATION

Description	Disposition
In Re Richard N Daily Separate Property Trust on 05/20/2022	
Petition - Other filed by NOEL N DAILY on 05/20/2022	-
Petition for Orders Compelling Trustee to Account to Trust Beneficiary...etc filed by Noel N Daily on 05/24/2023	-
Petition for Orders Compelling Trustee to Provide Requested Information to Trust Beneficiary...etc filed by Noel N Daily on 05/24/2023	-
Petition filed by Noel N Daily on 10/02/2024	-
Petition on Account Petition for Settlement of Account and Report for Period 1-1-2023 to 12-31-2023 and Approval of Trustee and Attorney Fees filed by Adele D. Poliquin on 03/13/2025	-
Petition on Account Petition for Settlement of Account and Report for Period 9-14-2020 to 12-31-2021 and Approval of Trustee and Attorney Fees filed by Adele D. Poliquin on 03/13/2025	-
Petition on Account for Settlement of Account and Report for Period 01/01/2022 to 12/31/2022 and Approval of Trustee and Attorney Fees filed by Adele D. Poliquin on 03/13/2025	-

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Chat

STAFF EXHIBIT 10

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF VENTURA

202200565916PRTR In Re Richard N Daily Separate Property Trust
Probate (Legacy) Trust
Filed: 05/20/2022

Case Summary

CASE & COMPLAINT / PETITION INFORMATION | PARTIES | FUTURE HEARINGS

ALL HEARINGS | REGISTER

PARTIES

STAFF EXHIBIT 10

Name	Party-Type	Represen
Petition - Other filed by NOEL N DAILY on 05/20/2022		
Daily, Noel N	Petitioner	SCHNEIDE
Poliquin, Adele D.	Respondent	Kvale, Jea
Petition for Orders Compelling Trustee to Account to Trust Beneficiary...etc filed by Noel N Daily on 05/24/		
Daily, Noel N	Petitioner	Esquibias,
Poliquin, Adele D	Respondent	Kvale, Jea
Petition for Orders Compelling Trustee to Provide Requested Information to Trust Beneficiary...etc filed by		
Daily, Noel N	Petitioner	SCHNEIDE
Petition filed by Noel N Daily on 10/02/2024		
Daily, Noel N	Petitioner	Esquibias,
Petition on Account Petition for Settlement of Account and Report for Period 1-1-2023 to 12-31-2023 and		
Daily, Noel N	Petitioner	
Poliquin, Adele D.	Respondent	Yoshitake,
Petition on Account Petition for Settlement of Account and Report for Period 9-14-2020 to 12-31-2021 an		
Poliquin, Adele D.	Respondent	Yoshitake,
Petition on Account for Settlement of Account and Report for Period 01/01/2022 to 12/31/2022 and Appr		
Poliquin, Adele D.	Respondent	Yoshitake,

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STAFF EXHIBIT 10

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF VENTURA

202200565916PRTR In Re Richard N Daily Separate Property Trust

Probate (Legacy) Trust
Filed: 05/20/2022

Case Summary

CASE & COMPLAINT / PETITION INFORMATION | PARTIES | FUTURE HEARINGS

ALL HEARINGS | REGISTER

Chat

REGISTER

STAFF EXHIBIT 10

Search

Date		
06/02/2025	Notice of Hearing - Decedent's Estate or Trust 07/16/25 Hearing Filed by: Poliquin, Adele D. (Respondent)	
06/02/2025	Notice of Hearing - Decedent's Estate or Trust 07/16/25 Hearing Filed by: Poliquin, Adele D. (Respondent)	
06/02/2025	Notice of Hearing - Decedent's Estate or Trust 07/16/25 Hearing Filed by: Poliquin, Adele D. (Respondent)	
04/23/2025	Account and Report for Period 09/14/2020 to 12/31/2021 and Approval of Trustee and Attorney Fees scheduled for 07/16/2025 at 09:00 AM in Juvenile Courthouse at Department J6	
04/23/2025	Account and Report for Period 01/01/2022 to 12/31/2022 and Approval of Trustee and Attorney Fees scheduled for 07/16/2025 at 09:00 AM in Juvenile Courthouse at Department J6	
04/23/2025	Account and Report for Period 01/01/2023 to 12/31/2023 and Approval of Trustee and Attorney Fees scheduled for 07/16/2025 at 09:00 AM in Juvenile Courthouse at Department J6	
04/23/2025	Minute Order (Account and Report for Period 01/01/2023 to 12/31/2023 and Ap...)	
04/21/2025	Updated -- Supplement to Petition for Settlement of Account and Report for Period from September 14, 2020 to December 31, 2021, and Approval of Trustee and Attorney Fees: Name Extension changed from to Petition for Settlement of Account and Report for Period from September 14, 2020 to December 21, 2021, and Approval of Trustee and Attorney Fees to to Petition for Settlement of Account and Report for Period from September 14, 2020 to December 31, 2021, and Approval of Trustee and Attorney Fees	
04/21/2025	Updated -- Supplement to Petition for Settlement of Account and Report for Period from January 1, 2022 to December 31, 2022, and Approval of Trustee and Attorney Fees: Name Extension changed from to Petition for Settlement of Account and Report for Period from January 1, 2022 to December 21, 2022, and Approval of Trustee and Attorney Fees to to Petition for Settlement of Account and Report for Period from January 1, 2022 to December 31, 2022, and Approval of Trustee and Attorney Fees	
04/18/2025	Supplement to Petition for Settlement of Account and Report for Period from January 1, 2023 to December 31, 2023, and Approval of Trustee and Attorney Fees Filed by: Poliquin, Adele D. (Respondent)	

STAFF EXHIBIT 10

Date	
04/18/2025	Supplement to Petition for Settlement of Account and Report for Period from January 1, 2022 to December 21, 2022, and Approval of Trustee and Attorney Fees Filed by: Poliquin, Adele D. (Respondent)
04/18/2025	Supplement to Petition for Settlement of Account and Report for Period from September 14, 2020 to December 21, 2021, and Approval of Trustee and Attorney Fees Filed by: Poliquin, Adele D. (Respondent)
03/25/2025	Notice of Hearing - Decedent's Estate or Trust 04/23/25 Filed by: Poliquin, Adele D. (Respondent) As to: Poliquin, Adele D. (Respondent)
03/25/2025	Notice of Hearing - Decedent's Estate or Trust 04/23/25 Filed by: Poliquin, Adele D. (Respondent) As to: Poliquin, Adele D. (Respondent)
03/25/2025	Notice of Hearing - Decedent's Estate or Trust 04/23/25 Filed by: Poliquin, Adele D. (Respondent) As to: Poliquin, Adele D. (Respondent)
03/17/2025	Account and Report for Period 01/01/2022 to 12/31/2022 and Approval of Trustee and Attorney Fees scheduled for 04/23/2025 at 09:00 AM in Juvenile Courthouse at Department J6
03/17/2025	Updated -- Petition on Account Petition for Settlement of Account and Report for Period 01/01/2023 to 12/31/2023 and Approval of Trustee and Attorney Fees: Name Extension changed from Petition for Settlement of Account and Report for Period 1-1-2023 to 12-31-2023 and Approval of Trustee and Attorney Fees to Petition for Settlement of Account and Report for Period 01/01/2023 to 12/31/2023 and Approval of Trustee and Attorney Fees
03/17/2025	Updated -- Petition on Account Petition for Settlement of Account and Report for Period 09/14/2020 to 12/31/2021 and Approval of Trustee and Attorney Fees: Name Extension changed from Petition for Settlement of Account and Report for Period 9-14-2020 to 12-31-2021 and Approval of Trustee and Attorney Fees to Petition for Settlement of Account and Report for Period 09/14/2020 to 12/31/2021 and Approval of Trustee and Attorney Fees
03/17/2025	Account and Report for Period 9-14-2020 to 12-31-2021 and Approval of Trustee and Attorney Fees scheduled for 04/23/2025 at 09:00 AM in Juvenile Courthouse at Department J6
03/14/2025	Account and Report Order Approving Petition for Settlement of Account and Report etc. scheduled for 04/23/2025 at 09:00 AM in Juvenile Courthouse at Department J6
03/13/2025	Petition on Account for Settlement of Account and Report for Period 01/01/2022 to 12/31/2022 and Approval of Trustee and Attorney Fees Filed by: Poliquin, Adele D. (Respondent)

STAFF EXHIBIT 10

Date	
03/13/2025	Petition on Account Petition for Settlement of Account and Report for Period 9-14-2020 to 12-31-2021 and Approval of Trustee and Attorney Fees Filed by: Poliquin, Adele D. (Respondent)
03/13/2025	Petition on Account Petition for Settlement of Account and Report for Period 1-1-2023 to 12-31-2023 and Approval of Trustee and Attorney Fees Filed by: Poliquin, Adele D. (Respondent) As to: Daily, Noel N (Petitioner)
03/13/2025	Notice of Errata Filed by: Poliquin, Adele D. (Respondent) As to: Daily, Noel N (Petitioner)
03/13/2025	Updated -- Supplemental Response to Verified Petition to Compel Trustee to Account: Name Extension changed from Supplemental Response to Verified Petition to Compel Trustee to Account to Response to Verified Petition to Compel Trustee to Account
03/13/2025	Supplemental Supplemental Response to Verified Petition to Compel Trustee to Account Filed by: Poliquin, Adele D. (Respondent) As to: Daily, Noel N (Petitioner)
03/10/2025	Proof of Service By Mail Filed by: Poliquin, Adele D. (Respondent) As to: Daily, Noel N (Petitioner)
03/10/2025	Proof of Service By Mail Filed by: Poliquin, Adele D. (Respondent) As to: Daily, Noel N (Petitioner)
03/10/2025	Proof of Service By Mail Filed by: Poliquin, Adele D. (Respondent) As to: Daily, Noel N (Petitioner)
03/10/2025	Proof of Service By Mail Filed by: Poliquin, Adele D. (Respondent) As to: Daily, Noel N (Petitioner)
03/10/2025	Notice of Rejection-Probate Generated by: Court
11/20/2024	Notice of Entry of Order Filed by: Daily, Noel N (Petitioner)
11/20/2024	Minute Order (Hearing on Petition Verified Petition to Compel Trustee to Ac...)
11/13/2024	Response to Verified Petition to Compel Trustee to Compel Trustee to Account, Alternatively, to Remove Trustee and Appoint Successor Trustee, and for Attorney's Fees and Costs Filed by: Daily, Noel N (Petitioner)
10/09/2024	Updated -- Notice of Hearing - Decedent's Estate or Trust 11/20/2024: Filed By Parties: Daily, Noel N (Petitioner)

STAFF EXHIBIT 10

Date		
10/09/2024	Notice of Hearing - Decedent's Estate or Trust 11/20/2024 Filed by:	
10/02/2024	Hearing on Petition Verified Petition to Compel Trustee to Account, Alternatively, to Remove Trustee and Appoint Successor Trustee, and for Attorney's Fees and Costs scheduled for 11/20/2024 at 09:00 AM in Juvenile Courthouse at Department J6	
10/02/2024	Verified Petition to Compel Trustee to Account, Alternatively, to Remove Trustee and Appoint Successor Trustee, and for Attorney's Fees and Costs Filed by: Daily, Noel N (Petitioner)	
03/07/2024	Notice of Entry of Order Filed by: Poliquin, Adele D (Respondent)	
02/26/2024	Order Denying Petition for Orders Compelling Trustee to Account to Trust Beneficiary for the Period February 28, 2017, to September 14, 2020 Filed by: Poliquin, Adele D (Respondent)	
02/15/2024	Notice of Change of Address or Other Contact Information Filed by: Poliquin, Adele D. (Respondent)	
02/14/2024	Agreement and Order re Appointment of Official Reporter Pro Tempore Filed by:	
02/14/2024	Minute Order (Hearing on Petition for Orders Compelling Trustee to Account ...)	
02/02/2024	Proof of Service by Mail Filed by: Poliquin, Adele D. (Respondent)	
02/02/2024	Response To Petitioner's Objections to Trustees Compensation etc. Filed by: Poliquin, Adele D. (Respondent)	
01/26/2024	Substitution of Attorney Noel Daily Now Represented by David Esquibias Filed by: Esquibias, David (Attorney) As to: Daily, Noel N (Petitioner)	
01/19/2024	Objections to Trustee's Compensation for the Period February 28, 2017, to September 14, 2020: Request for Orders Reviewing Reasonableness of Trustee's Compensation Filed by: Daily, Noel N (Petitioner)	
12/19/2023	Proof of Service Filed by: Poliquin, Adele D. (Respondent)	
12/15/2023	Declaration of Adele D. Poliquin Regarding the Managment and Consulting Fees Paid from February 28, 2017, to September 14,2020. Filed by: Poliquin, Adele D. (Respondent)	

STAFF EXHIBIT 10

Date	
11/22/2023	Notice of Ruling On Petition for Orders etc. Filed by: Daily, Noel N (Petitioner)
11/15/2023	Minute Order (Hearing on Petition for Orders Compelling Trustee to Account ...)
11/09/2023	Supplement to Petition for Order Compelling Trustee to Account to Trust Beneficiary for the Period February 28, 2017, to September 14, 2020 Filed by: Daily, Noel N (Petitioner)
10/26/2023	Written Statement Regarding Camarillo Farm Property Filed by: Poliquin, Adele D. (Respondent)
10/19/2023	Proof of Service Filed by: Poliquin, Adele D. (Respondent)
10/19/2023	Proof of Service Filed by: Poliquin, Adele D. (Respondent)
10/13/2023	Declaration of Adele D Poliquin Regarding the Trustee Fees and Payments to and for the Benefit of Brent Poliquin...etc Filed by: Poliquin, Adele D. (Respondent)
10/13/2023	Declaration of Alan T Yoshitake Regarding Attorneys' Fees for Services Provided and Costs Advanced by Seyfarth Shaw LLP...etc Filed by: Poliquin, Adele D. (Respondent)
10/04/2023	Updated -- Order Granting in Part and Denying in part Petition for Orders Compelling Trustee to Provide Requested Information...etc: Status Date changed from 10/03/2023 to 10/06/2023 Result: Granted Result Date: 10/04/2023 Status changed from Received to Filed
08/18/2023	Updated -- Order on Petition for Orders Compelling Trustee to Account to Trust Beneficiary for the Period February 28, 2017, to September 14, 2020: Status Date changed from 05/23/2023 to 08/18/2023 Result: Granted Name Extension changed from on Petition for Orders Compelling Trustee to Account to Trust Beneficiary...etc to on Petition for Orders Compelling Trustee to Account to Trust Beneficiary for the Period February 28, 2017, to September 14, 2020 Result Date: 08/18/2023 Status changed from Proposed - Received (Hearing Set) to Filed
08/17/2023	Updated -- Notice of Petition to Administer Estate 11/15/23: Filed By Parties: Daily, Noel N (Petitioner)
08/17/2023	Notice of Petition to Administer Estate 11/15/23 Filed by:

STAFF EXHIBIT 10

Date		
08/16/2023	Minute Order (Hearing on Petition for Orders Compelling Trustee to Account ...)	
07/12/2023	Updated -- Notice of Hearing - Decedent's Estate or Trust Continued to 08/16/23: Filed By Parties: Daily, Noel N (Petitioner)	
07/12/2023	Updated -- Notice of Hearing - Decedent's Estate or Trust Continued to 08/16/23: Filed By Parties: Daily, Noel N (Petitioner)	
07/12/2023	Notice of Hearing - Decedent's Estate or Trust Continued to 08/16/23 Filed by:	
07/12/2023	Notice of Hearing - Decedent's Estate or Trust Continued to 08/16/23 Filed by:	
07/11/2023	Minute Order (Court Order)	
07/07/2023	Updated -- Reply Petitioner's Reply to Respondent's Response to Petition for Orders etc.: Name Extension changed from Petitioner's Reply to Respondent's Response to Petition etc. to Petitioner's Reply to Respondent's Response to Petition for Orders etc.	
07/07/2023	Reply Petitioner's Reply to Respondent's Response to Petition etc. Filed by: Daily, Noel N (Petitioner)	
07/07/2023	Reply Petitioner's Reply to Respondent's Response to Petition etc. Filed by: Daily, Noel N (Petitioner)	
07/03/2023	Response to Petition for Orders Compelling Trustee to Provide Requested Information to Trust Beneficiary Relating...etc. Filed by: Poliquin, Adele D. (Respondent)	
07/03/2023	Response to Petition for Orders Compelling Trustee to Account to Trust Beneficiary for the Period 02.28.17 to 09.14.20; Request for Attorney's Fees....etc. Filed by: Poliquin, Adele D. (Respondent)	
05/24/2023	Notice of Hearing - Decedent's Estate or Trust for 07/12/2023 Filed by:	
05/24/2023	Notice of Hearing - Decedent's Estate or Trust for 07/12/2023 Filed by:	
05/24/2023	Hearing on Petition for Orders Compelling Trustee to Provide Requested Information to Trust Beneficiary...etc scheduled for 07/12/2023 at 09:00 AM in Juvenile Courthouse at Department J6	

STAFF EXHIBIT 10

Date		
05/24/2023	Petition for Orders Compelling Trustee to Provide Requested Information to Trust Beneficiary...etc Filed by: Daily, Noel N (Petitioner)	
05/24/2023	Hearing on Petition for Orders Compelling Trustee to Account to Trust Beneficiary...etc scheduled for 07/12/2023 at 09:00 AM in Juvenile Courthouse at Department J6	
05/24/2023	Petition for Orders Compelling Trustee to Account to Trust Beneficiary...etc Filed by: Daily, Noel N (Petitioner)	
05/23/2023	Updated -- Petition for Orders Compelling Trustee to Provide Requested Information to Trust Beneficiary...etc: Status Date changed from 05/24/2023 to 05/23/2023	
05/23/2023	Updated -- Petition for Orders Compelling Trustee to Account to Trust Beneficiary...etc: Status Date changed from 05/24/2023 to 05/23/2023	
07/13/2022	Minutes finalized for Petition Other (PR) heard 07/13/2022 09:00:00 AM.	
07/12/2022	Proof of Service filed by Poliquin, Adele D. on 07/12/2022.	
07/11/2022	Response (To Petition For Order Compelling Trustee To Distribute Trust Assets From LLC To Trust Beneficiaries and To Wind-up and Dissolve LLC) filed by Poliquin, Adele D. on 07/11/2022.	
07/11/2022	Poliquin, Adele D. added as a Respondent effective 07/11/2022.	
07/11/2022	Tentative Ruling published.	
05/26/2022	Notice of Hearing (07/13/22) filed by Daily, Noel N on 05/26/2022.	
05/26/2022	Notice of Related Case (2019-00533540-PR-TR-OXN) filed by Daily, Noel N on 05/26/2022.	
05/20/2022	Petition Other (PR) - scheduled for 07/13/2022 at 09:00:00 AM in J6 at Oxnard.	
05/20/2022	Case assigned to Department J6.	
05/20/2022	Petition - Other (Petition for Orders Compelling Trustee to Distribute Trust Assets from LLC to Trust Beneficiaries, and to Wind-Up and Dissolve LLC) filed by Daily, Noel N on 05/20/2022.	

STAFF EXHIBIT 10

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STAFF EXHIBIT 11

Writer's Email
garnold@atozlaw.com

June 4, 2025

VIA FEDERAL EXPRESS

Fox Canyon Groundwater Management Agency
Attn: Board of Directors
800 South Victoria Avenue
Ventura, CA 93009-1610

Re: Appeal of Well Application No. 0309

Dear FCGMA:

In further support of the appeal filed by R.N. Daily Ranch, LLC ("Daily Ranch") seeking a permit for the drilling of a replacement well on its agricultural real property generally described as APN 230-0-061-010, you will find enclosed three (3) Semi-Annual Groundwater Extraction Statements submitted to the FCGMA by Daily Ranch. These reports cover its extractions from the water well known as 01N21W03H03 ("Well H03"), covering the time from April 1, 2023 through September 30, 2024.

One of the issues raised by the FCGMA staff in denying the application for the permit to drill the water well which we have called "Well H04" is the alleged lack of any extractions allocations granted to Well H03. However, each of the enclosed reports prepared by FCGMA note that an extraction allocation of 308.627 acre feet had been granted to the water wells recited in the reports covering both Well H03 and the previously destroyed water well known as 0121WH03H02 ("Well H02"). Both wells are reported under CombCode RNDCAM as previously noted in our Daily Ranch's appeal.

Simply stated, allocations have been granted by the FCGMA to Well H03. Moreover, Daily Ranch has committed to continue reporting all extractions from Well H04 under CombCode RNDCAM.

STAFF EXHIBIT 11

The appeal should be upheld and the permit to allow Daily Ranch to drill Well H04 as a replacement water well for Well H03 should be issued.

Very truly yours,

ARNOLD LAROCHELLE MATHEWS
VANCONAS & ZIRBEL LLP

/s/ Gary D. Arnold

Gary D. Arnold

GDA:
Cc: Daily Ranch (via Email)
Beverly Gutierrez (via Email)

STAFF EXHIBIT 11

ARNOLD LAROCHELLE MATHEWS
VANCONAS & ZIRBEL LLP

300 EAST ESPLANADE DRIVE
SUITE 2100
OXNARD, CA 93036
T (805) 988-9886
F (805) 988-1937
WWW.ATOZLAW.COM

RECEIVED
JUN 04 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

Writer's Email
garnold@atozlaw.com

June 4, 2025

VIA FEDERAL EXPRESS

Fox Canyon Groundwater Management Agency
Attn: Board of Directors
800 South Victoria Avenue
Ventura, CA 93009-1610

Re: Appeal of Well Application No. 0309

Dear FCGMA:

In further support of the appeal filed by R.N. Daily Ranch, LLC ("Daily Ranch") seeking a permit for the drilling of a replacement well on its agricultural real property generally described as APN 230-0-061-010, you will find enclosed three (3) Semi-Annual Groundwater Extraction Statements submitted to the FCGMA by Daily Ranch. These reports cover its extractions from the water well known as 01N21W03H03 ("Well H03"), covering the time from April 1, 2023 through September 30, 2024.

One of the issues raised by the FCGMA staff in denying the application for the permit to drill the water well which we have called "Well H04" is the alleged lack of any extractions allocations granted to Well H03. However, each of the enclosed reports prepared by FCGMA note that an extraction allocation of 308.627 acre feet had been granted to the water wells recited in the reports covering both Well H03 and the previously destroyed water well known as 0121WH03H02 ("Well H02"). Both wells are reported under CombCode RNDCAM as previously noted in our Daily Ranch's appeal.

Simply stated, allocations have been granted by the FCGMA to Well H03. Moreover, Daily Ranch has committed to continue reporting all extractions from Well H04 under CombCode RNDCAM.

KENDALL A. VANCONAS* | SUSAN L. MCCARTHY | DENNIS P. MCNULTY | EMILY WHITE
OF COUNSEL GARY D. ARNOLD | DENNIS O. LAROCHELLE
MARK A. ZIRBEL (RETIRED) | JOHN M. MATHEWS (DECEASED)
*Certified Specialist, Estate Planning, Trust & Probate Law
State Bar of California, Board of Legal Specialization

RECEIVED
JUN 04 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

STAFF EXHIBIT 11

The appeal should be upheld and the permit to allow Daily Ranch to drill Well H04 as a replacement water well for Well H03 should be issued.

Very truly yours,

ARNOLD LAROCHELLE MATHEWS
VANCONAS & ZIRBEL LLP

/s/ Gary D. Arnold

Gary D. Arnold

GDA:
Cc: Daily Ranch (via Email)
Beverly Gutierrez (via Email)

RECEIVED
JUN 04 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

STAFF EXHIBIT 11

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue | Ventura, CA 93009-1610 | Tel: (805) 645-1372 | FCGMA.Report@ventura.org | www.FCGMAOnline.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date :**	**12/01/2023**	**Semi-Annual Code:**	**2023-2**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2023-2-051533**

Reporting Period: April 1, 2023 - September 30, 2023

Contact:	**Hank Laubacher**
Well Operator:	**Laubacher Farms, Inc.**
Address:	**PO Box 1859**
City State Zip:	**Port Hueneme CA 93044**
Telephone:	**8054886191**
Email:	**hankjr@laubacherfarms.com; hanksr@laubacherfarms.c**

Ck also pays BURK, BURKE, LAUB, LA AVE

Received 12/1/23 Initial emm
Check No. 70012 Date 12/01/23
Amount of Check $ 1,287.55 of 39,627.25 total
Pd. rec. no 26444

Please carefully fill out fields 1-18, and return this form with required payment by the due date (postmarked by due date is acceptable). If returned late, you are required to self-assess interest on any unpaid extraction charges (Field 7 plus Field 10), and self-assess late penalty on any unpaid surcharges (Field 11). Do this by multiplying the extraction and surcharge amounts by 1.5% times the number of whole months the payment is past due.

Pursuant to 2004 and 2006 amendments to the California Water Code Section, all groundwater extractions are reported to the State Water Resources Control Board by the FCGMA or its appointees. No additional fee is charged for this reporting. Your records may be made available to other governmental agencies, pursuant to Sections 5009(e)(4) and 5009(c) respectively of the California Water Code.

State Well Number	Meter S/N	Check Box for Current Meter	1 Flow Meter Readings Current (Sep. 30, 2023)	- Previous (Mar. 31, 2023)	= 3 Difference	x 4 Mult.	/ 5 Div. Unit/AF	6 AF Extraction
New - 6/20/2002: 01N21W03H02								
Destroyed		☐						Destroyed
RND Cam Ranch: 01N21W03H03								
Active DR	20151452-10	☐	124,524	122,183	2,341	0.0100	1	23.410
							Total Extraction (AF):	23.410

CALCULATE ACRE-FEET (AF) TO THE 3rd DECIMAL PLACE (Example: 50.0019 AF = 50.002 AF)

Upload Meter Photos at FCGMAOnline.org

Photographs of all meter readings are required to be submitted with each extraction statement before the SAES due date.
This applies to all wells requiring a meter in accordance with Agency Ordinance Code .
Photo(s) shall include meter face with totalizer reading, multiplier and units.

ENTERED

STAFF EXHIBIT 11

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNBCAM **Due Date :** 12/01/2023 **Semi-Annual Code:** 2023-2

Primary Use: AG **DWR Basin:** PV **Statement Number:** SAES-2023-2-051533

Reporting Period: April 1, 2023 - September 30, 2023

Fees

7	**Previous Balance:**	$ ~~-$851,120.20~~
8	**Reserve Fee:** [Total from Box 6: 23.410 AF x $20.00]	+$ 468.20
9	**Sustainability Fee:** [Total from Box 6: 23.410 AF x $29.00]	+$ 678.89
10	**Extraction Charge:** [Total from Box 6: 23.410 AF x $6.00]	+$ 140.46
11	**Surcharge:** [Exceedance: 0.000 AF] (See Surcharge Rates for breakdown)	+$

Complete this section ONLY if past the due date (12/01/2023).

12	**Extraction Interest Charge:** [Extraction charge x 1.50% x month(s) overdue]	+$
13	**Surcharge Late Penalty:** [Surcharge x 1.50% x month(s) overdue]	+$
14	**Civil Penalty:** [$50.00 x day(s) overdue]	+$
15	**Amount Waived:**	- $
16	**Total Amount Due:** [Total of lines 7 through 15]	= $ ~~852,407.75~~
17	**Total Amount Enclosed:**	$ 1,287.55

Include CombCode in memo line of check payment. Limit one CombCode per check. **Check No:** 70012

Water Year 2022 / 2023 Fee Schedule

Fee Type	Amount	Unit	AF Exceedance Range	Resolution
Extraction	$ 6.00	AF	-	2014-02
Sustainability	$ 29.00	AF	-	2022-05
Reserve	$ 20.00	AF	-	2020-05
Civil Penalty	$ 50.00	Per Day Late	-	2019-1
Surcharge Tier 1	$ 1,841.00	AF	0.000 - 25.000	2022-06
Surcharge Tier 2	$ 2,091.00	AF	25.001 - 99.999	2022-06
Surcharge Tier 3	$ 2,341.00	AF	>100.000	2022-06

Surcharges, if incurred, are assessed at the end of the Water Year on the "-2" statement.
For more information regarding fees, visit www.FCGMA.org/Public-Documents/Resolutions.

Extraction Allocation

An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins was adopted by the Board on October 23, 2019, and became operative October 1, 2020. For details go to *Allocation* at www.fcgma.org.

Surcharge Calculation
(Water Year Oct. 1, 2022 - Sep. 30, 2023)

2023-1 Extractions: (Oct. 1, 2022 - Mar. 31, 2023)		38.740 AF
2023-2 Extractions: (Apr. 1, 2023 - Sep. 30, 2023)	+	23.410 AF
TOTAL Water Year 2022 / 2023 Extractions: (Oct. 1, 2022 - Sep. 30, 2023)		62.150 AF

For water year beginning Oct. 1, 2022 and ending Sep. 30, 2023, surcharges shall be imposed on extractions exceeding the allocation established by OPV Ordinance.

Initial Extraction Allocation:		308.627 AF
Permanent Variance:		0.000 AF
2022 / 2023 Temporary Variance:		0.000 AF
2022 / 2023 Extraction Allocation:		308.627 AF
Previous Carryover Balance:	+	0.000 AF
Surcharge Threshold:		308.627 AF
TOTAL Water Year 2022 / 2023 Extractions:		62.150 AF
Exceedance:		**0.000 AF**

If the Total Water Year 2022/2023 Extractions are **GREATER** than the Surcharge Threshold, then there is an exceedance. **Exceedance** = Total Water Year 2022/2023 Extractions - Surcharge Threshold.

Carryover Calculation* (AF)
(Effective Water Year Oct. 1, 2022 - Sep. 30, 2023 per Article 8)
*Divided evenly among all wells with reported extractions on page 1.

Water Year (WY)	Unused Allocation	Carryover (Max 50% of Extraction Allocation)	Carryover Balance
2022 / 2023	246.477	154.314	154.314

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM
Due Date : 12/01/2023
Semi-Annual Code: 2023-2
Primary Use: AG
DWR Basin: PV
Statement Number: SAES-2023-2-051533

Reporting Period: April 1, 2023 - September 30, 2023

Statement, Photos, Additional Reporting Requirements Form and Payment are due by 12/01/2023.
Failure to remit all items by the due date shall make you subject to a civil penalty of $50 per day.

Online reporting and meter photo upload is available at FCGMAOnline.org.

I declare under penalty of perjury that this Semi-Annual Groundwater Extraction Statement has been examined by me, and to the best of my knowledge and belief is a true, correct and complete statement.

Date: 11/28/2023

18 Print Name: Henry Laubacher Sr.

Signature:

THIS STATEMENT IS NOT COMPLETE UNLESS ALL QUESTIONS ARE ANSWERED AND SIGNATURE PROVIDED.

Make Payments to: Fox Canyon Groundwater Management Agency
Include CombCode in memo line of check payment.
Limit one CombCode per check.

STAFF EXHIBIT 11

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date : 12/01/2023**		**Semi-Annual Code:**	**2023-2**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2023-2-051533**

Reporting Period: April 1, 2023 - September 30, 2023

STAFF EXHIBIT 11

PSOAH 23-2

9/30/2023

Daily Ranch

(RNDCAH)

01N21W03H03S

SN: 20151452-10

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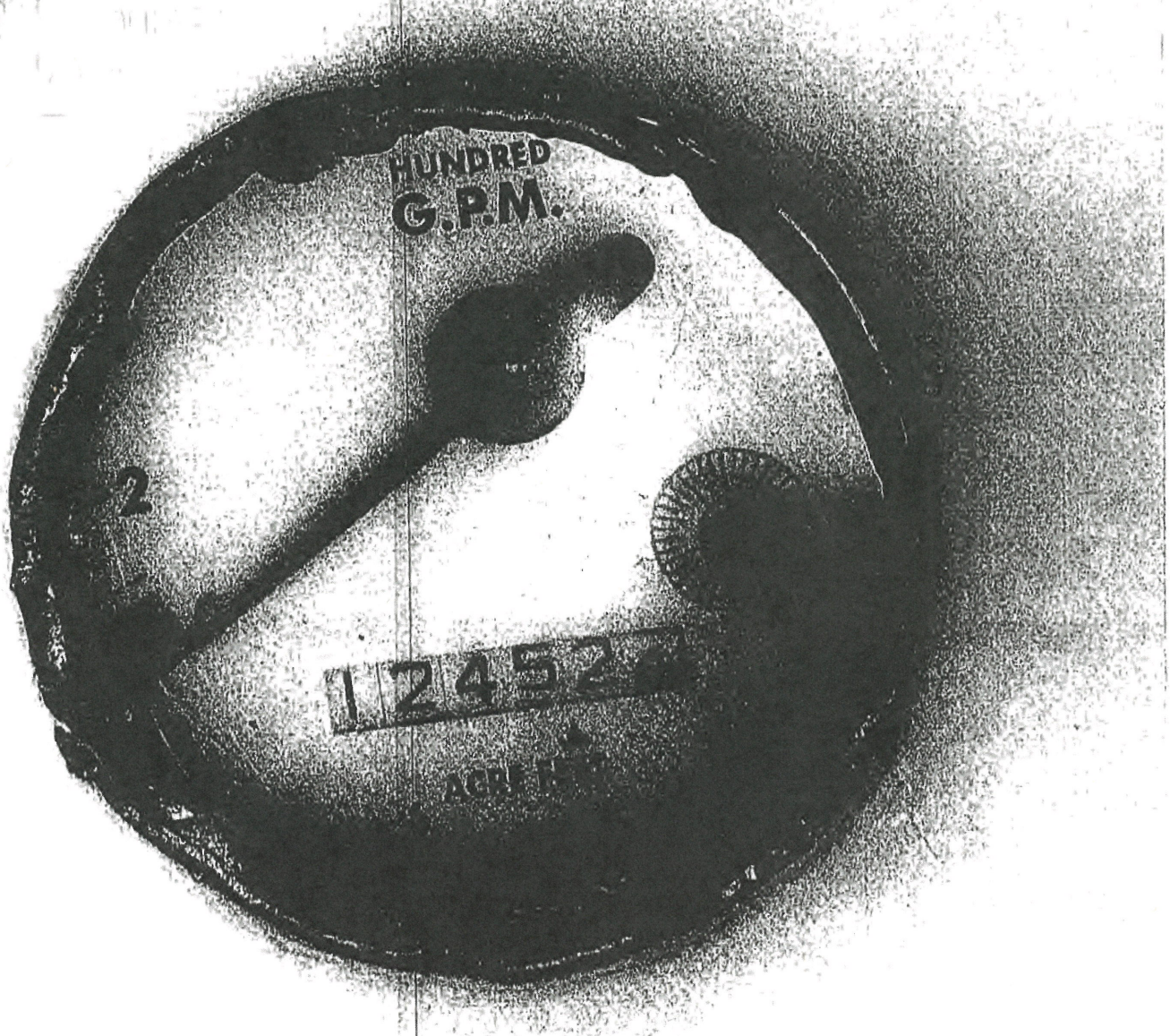

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	RNDCAM	**Due Date :**	06/27/2024	**Semi-Annual Code:**	2024-1
Primary Use:	AG	**DWR Basin:**	PV	**Statement Number:**	SAES-2024-1-051956

Reporting Period: October 1, 2023 - March 31, 2024

Contact:	Hank Laubacher
Well Operator:	Laubacher Farms, Inc. DUDA FARMS
Address:	PO Box 1859
City State Zip:	Port Hueneme CA 93044
Telephone:	8054886191
Email:	hankjr@laubacherfarms.com; hanker@laubacherfarms.com

Please carefully fill out fields 1-18, and return this form with required payment by the due date (postmarked by due date is acceptable). If returned late, you are required to self-assess interest on any unpaid extraction charges (Field 7 plus Field 10), and self-assess late penalty on any unpaid surcharges (Field 11). Do this by multiplying the extraction and surcharge amounts by 1.5% times the number of whole months the payment is past due.

Pursuant to 2004 and 2006 amendments to the California Water Code Section, all groundwater extractions are reported to the State Water Resources Control Board by the FCGMA or its appointees. No additional fee is charged for this reporting. Your records may be made available to other governmental agencies, pursuant to Sections 5009(e)(4) and 5009(c) respectively of the California Water Code.

State Well Number	Meter S/N	Check Box for Current Meter	[1] Flow Meter Readings Current (Mar. 31, 2024)	- [2] Previous (Sep. 30, 2023)	= [3] Difference	x [4] Mult.	/ [5] Div. Unit/AF	[6] AF Extraction
New - 6/20/2002: 01N21W03H02 Destroyed	—	☐	—	—	—	—	—	Destroyed
RND Cam Ranch: 01N21W03H03 Active	20161452-10	☑	127428	124,524 ✓	2904	0.0100	1	29.040
							Total Extraction (AF):	29.040

CALCULATE ACRE-FEET (AF) TO THE 3rd DECIMAL PLACE (Example: 50.0019 AF = 50.002 AF)

Upload Meter Photos at FCGMAOnline.org

Photographs of all meter readings are required to be submitted with each extraction statement before the SAES due date.
This applies to all wells requiring a meter in accordance with Agency Ordinance Code.
Photo(s) shall include meter face with totalizer reading, multiplier and units

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM **Due Date :** 06/27/2024 **Semi-Annual Code:** 2024-1
Primary Use: AG **DWR Basin:** PV **Statement Number:** SAES-2024-1-051956

Reporting Period: October 1, 2023 - March 31, 2024

Fees

7	Previous Balance:	$ $851,120.20
8	Reserve Fee: (Total from Box 6: 29.040 AF x $20.00)	+$ 580.80
9	Sustainability Fee: (Total from Box 6: 29.040 AF x $29.00)	+$ 842.16
10	Extraction Charge: (Total from Box 6: 29.040 AF x $6.00)	+$ 174.24
11	Surcharge: (Exceedance: _____ AF) (See Surcharge Rates for breakdown)	+$ NA

Complete this section ONLY if past the due date (06/27/2024).

12	Extraction Interest Charge: (Extraction charge x 1.50% x month(s) overdue)	+$ —
13	Surcharge Late Penalty: (Surcharge x 1.50% x month(s) overdue)	+$ — NA
14	Civil Penalty: ($50.00 x day(s) overdue)	+$ —
15	Amount Waived:	-$ —
16	Total Amount Due: (Total of lines 7 through 15)	=$ 1,597.20
17	Total Amount Enclosed:	$ 1,597.20

Include CombCode in memo line of check payment. Limit one CombCode per check. Check No: _____

Water Year 2023 / 2024 Fee Schedule

Fee Type	Amount	Unit	AF Exceedance Range	Resolution
Extraction	$6	AF	-	2014-03
Sustainability	$29	AF	-	2022-08
Reserve	$20	AF	-	2020-05
Civil Penalty	$50	x Days Late	-	2019-1
Extraction Interest	1.5%	x Months Late	-	2.4.2

Surcharges, if incurred, are assessed at the end of the Water Year on the "-2" statement.
For more information regarding fees, visit www.FCGMA.org/Public-Documents/Resolutions

Extraction Allocation

An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins was adopted by the Board on October 23, 2019, and became operative October 1, 2020. For details go to Allocation at www.fcgma.org

Surcharge Calculation
(Water Year Oct. 1, 2023 - Sep. 30, 2024)

2024-1 Extractions: (Oct. 1, 2023 - Mar. 31, 2024)		AF
2024-2 Extractions: (Apr. 1, 2024 - Sep. 30, 2024)	+	TBD AF
TOTAL Water Year 2023 / 2024 Extractions: (Oct. 1, 2023 - Sep. 30, 2024) (To Date)		AF

For water year beginning Oct. 1, 2023 and ending Sep. 30, 2024, surcharges shall be imposed on extractions exceeding the allocation established by OPV Ordinance.

Initial Extraction Allocation:		308.627 AF
Permanent Variance:		0.000 AF
2023 / 2024 Temporary Variance:		0.000 AF
2023 / 2024 Extraction Allocation:		308.627 AF
Previous Carryover Balance:	+	154.314 AF
Surcharge Threshold		462.941 AF
TOTAL Water Year 2023 / 2024 Extractions:		AF
Exceedance:		AF

If the Total Water Year 2023 / 2024 Extractions are GREATER than the Surcharge Threshold, then there is an exceedance. Exceedance = Total Water Year 2023 / 2024 Extractions - Surcharge Threshold.

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date :**	**06/27/2024**	**Semi-Annual Code:**	**2024-1**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2024-1-051958**

Reporting Period: October 1, 2023 - March 31, 2024

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	RNDCAM	**Due Date :** 06/27/2024		**Semi-Annual Code:**	2024-1
Primary Use:	AG	**DWR Basin:**	PV	**Statement Number:**	SAES-2024-1-051966

Reporting Period: October 1, 2023 - March 31, 2024

Statement, Photos and Payment are due by 06/27/2024. Failure to remit all items by the due date shall make you subject to a civil penalty of $50 per day.

Online reporting and meter photo upload is available at FCGMAOnline.org.

I declare under penalty of perjury that this Semi-Annual Groundwater Extraction Statement has been examined by me, and to the best of my knowledge and belief is a true, correct and complete statement.

18 Print Name: Emilio C. Arzola Date: 6/14/24 Signature: Emilio Arzola

THIS STATEMENT IS NOT COMPLETE UNLESS ALL QUESTIONS ARE ANSWERED AND SIGNATURE PROVIDED.

Make Payments to: Fox Canyon Groundwater Management Agency
Include CombCode in memo line of check payment.
Limit one CombCode per check.

STAFF EXHIBIT 11

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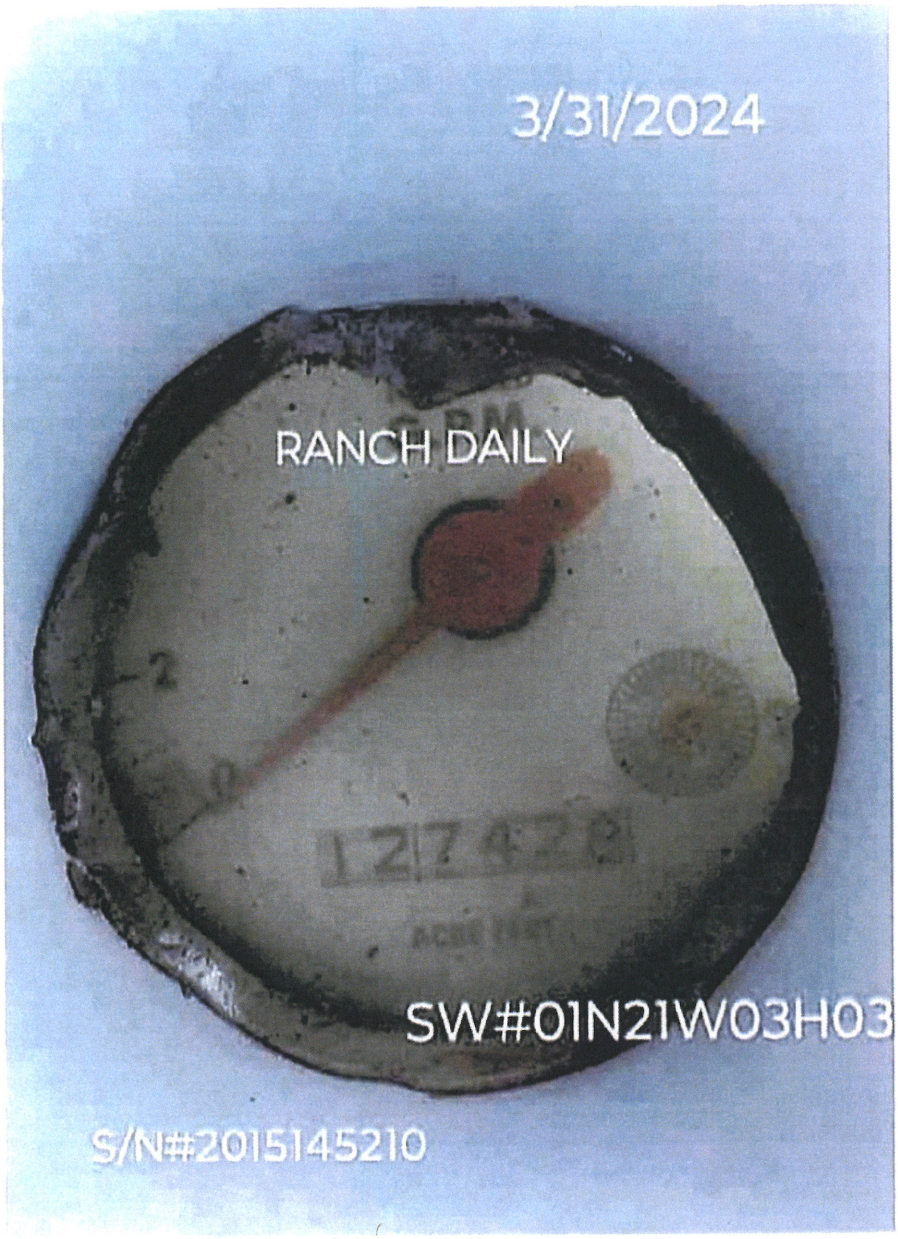

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM **Due Date :** 02/03/2025 **Semi-Annual Code:** 2024-2

Primary Use: AG **DWR Basin:** PV **Statement Number:** SAES-2024-2-052259

Reporting Period: April 1, 2024 - September 30, 2024

Contact: ~~Hank Laubacher~~ Emilio C. Quezada
Well Operator: ~~Laubacher Farms, Inc.~~ DUDA FARMS
Address: PO Box 1859
City State Zip: Port Hueneme CA 93044
Telephone: 8054886191
Email: hankjr@laubacherfarms.com; hanksr@laubacherfarms.com

Received 2/3/25 Initial EQ
Check No. 310146 Date 2/3/25
Amount of Check $ 23.65 ($6,324.01 total)
R#271316

Please carefully fill out fields 1-18, and return this form with required payment by the due date (postmarked by due date is acceptable). If returned late, you are required to self-assess interest on any unpaid extraction charges (Field 7 plus Field 10), and self-assess late penalty on any unpaid surcharges (Field 11). Do this by multiplying the extraction and surcharge amounts by 1.5% times the number of whole months the payment is past due.

Pursuant to 2004 and 2006 amendments to the California Water Code Section, all groundwater extractions are reported to the State Water Resources Control Board by the FCGMA or its appointees. No additional fee is charged for this reporting. Your records may be made available to other governmental agencies, pursuant to Sections 5009(e)(4) and 5009(c) respectively of the California Water Code.

State Well Number	Meter S/N	Check Box for Current Meter	1 Flow Meter Readings Current (Sep. 30, 2024)	- 2 Previous (Mar. 31, 2024)	= 3 Difference	x 4 Mult.	/ 5 Div. Unit/AF	6 AF Extraction
New - 6/20/2002: 01N21W03H02 Destroyed	—	☐	—	—	—	—	—	Destroyed
RND Cam Ranch: 01N21W03H03 Active	20151452-10	☐	127471	127,428	43	0.0100	1	.43
						Total Extraction (AF):		.43

CALCULATE ACRE-FEET (AF) TO THE 3rd DECIMAL PLACE (Example: 50.0019 AF = 50.002 AF)

Report Online and Upload Meter Photos at FCGMAOnline.org

Photographs of all meter readings are required to be submitted with each semi-annual extraction statement by the applicable due date. This requirement applies to all wells that are required to have a meter in accordance with Agency Ordinance Code. Photographs must provide a clear and legible image of the meter face with totalizer reading, multiplier, and units. Some operators may be required to submit more than one photograph per meter to capture readings of the totalizer, multiplier, and units, etc.

SAESs submitted without photographs, with illegible photographs, or with photographs that do not allow FCGMA to verify reported water use will be deemed incomplete and returned to the operator. SAES that are incomplete as of the applicable reporting period deadline will be subject to penalties under the Agency Ordinance Code or other applicable authority. (See FCGMA Resolution No. 2019-01.)

ENTERED

5IK4-880

1/21/25

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM **Due Date :** 02/03/2025 **Semi-Annual Code:** 2024-2
Primary Use: AG **DWR Basin:** PV **Statement Number:** SAES-2024-2-052259

Reporting Period: April 1, 2024 - September 30, 2024

Fees

7	**Previous Balance:**	$ $2,799.81
8	**Reserve Fee:** [Total from Box 6: .43 AF x $20.00]	+$ 8.60
9	**Sustainability Fee:** [Total from Box 6: .43 AF x $29.00]	+$ 12.47
10	**Extraction Charge:** [Total from Box 6: .43 AF x $6.00]	+$ 2.58
11	**Surcharge:** [Exceedance: — AF] (See Surcharge Rates for breakdown)	+$ —

Complete this section ONLY if past the due date (02/03/2025).

12	**Extraction Interest Charge:** [Extraction charge x 1.50% x month(s) overdue]	+$ —
13	**Surcharge Late Penalty:** [Surcharge x 1.50% x month(s) overdue]	+$ —
14	**Civil Penalty:** [$50.00 x day(s) overdue]	+$ —
15	**Amount Waived:**	-$ —
15	**Total Amount Due:** [Total of lines 7 through 15]	= $ 23.65
17	**Total Amount Enclosed:**	$ 23.65

Include CombCode in memo line of check payment. Limit one CombCode per check. **Check No:** _____

Water Year 2023 / 2024 Fee Schedule

Fee Type	Amount	Unit	AF Exceedance Range	Resolution
Extraction	$6	AF	-	2014-02
Sustainability	$29	AF	-	2022-05
Reserve	$20	AF	-	2024-05
Civil Penalty	$50	x Days Late	-	2019-1
Extraction Interest	1.5%	x Months Late	-	2.4.2
Surcharge Interest	1.5%	x Months Late	-	5.8.6.2
Surcharge Tier 1	$1929	AF	0.000 - 25.000	2024-03
Surcharge Tier 2	$2179	AF	25.001 - 99.999	2024-03
Surcharge Tier 3	$2429	AF	>100.000	2024-03

Surcharges, if incurred, are assessed at the end of the Water Year on the "-2" statement.
For more information regarding fees, visit www.FCGMA.org/Public-Documents/Resolutions.

Extraction Allocation

An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins was adopted by the Board on October 23, 2019, and became operative October 1, 2020. For details go to *Allocation* at www.fcgma.org.

Surcharge Calculation
(Water Year Oct. 1, 2023 - Sep. 30, 2024)

2024-1 Extractions: (Oct. 1, 2023 - Mar. 31, 2024)	29.040 AF
2024-2 Extractions: (Apr. 1, 2024 - Sep. 30, 2024)	+ .43 AF
TOTAL Water Year 2023 / 2024 Extractions: (Oct. 1, 2023 - Sep. 30, 2024)	29.47 AF

For water year beginning Oct. 1, 2023 and ending Sep. 30, 2024, surcharges shall be imposed on extractions exceeding the allocation established by OPV Ordinance.

Initial Extraction Allocation:	308.627 AF
Permanent Variance:	0.000 AF
2023 / 2024 Temporary Variance:	0.000 AF
2023 / 2024 Extraction Allocation:	308.627 AF
Previous Carryover Balance:	+ 246.478 AF
Surcharge Threshold:	555.105 AF
TOTAL Water Year 2023 / 2024 Extractions:	29.47 AF
Exceedance:	0 AF

If the Total Water Year 2023 / 2024 Extractions are GREATER than the Surcharge Threshold, then there is an exceedance. Exceedance = Total Water Year 2023 / 2024 Extractions - Surcharge Threshold.

Carryover Calculation* (AF)
(Effective Water Year Oct. 1, 2023 - Sep. 30, 2024 per Article 8)
*Divided evenly among all wells with reported extractions on page 1.

Water Year (WY)	Unused Allocation	Carryover (Max 50% of Extraction Allocation)	Carryover Balance
2023 / 2024	279.157	154.314	154.314

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date :**	**02/03/2025**	**Semi-Annual Code:**	**2024-2**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2024-2-052259**

Reporting Period: April 1, 2024 - September 30, 2024

Statement, Photos and Payment are due by 02/03/2025. Failure to remit all items by the due date shall make you subject to a civil penalty of $50 per day.

Online reporting and meter photo upload is available at FCGMAOnline.org.

I declare under penalty of perjury that this Semi-Annual Groundwater Extraction Statement has been examined by me, and to the best of my knowledge and belief is a true, correct and complete statement.

18 Print Name: Emilio C. Ochoa

Date: 1/17/24

Signature: Emilio C Ochoa

THIS STATEMENT IS NOT COMPLETE UNLESS ALL QUESTIONS ARE ANSWERED AND SIGNATURE PROVIDED.

Make Payments to: Fox Canyon Groundwater Management Agency
Include CombCode in memo line of check payment.
Limit one CombCode per check.

STAFF EXHIBIT 11

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SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code:	**RNDCAM**	**Due Date :**	**02/03/2025**	**Semi-Annual Code:**	**2024-2**
Primary Use:	**AG**	**DWR Basin:**	**PV**	**Statement Number:**	**SAES-2024-2-052259**

Reporting Period: April 1, 2024 - September 30, 2024

STAFF EXHIBIT 11

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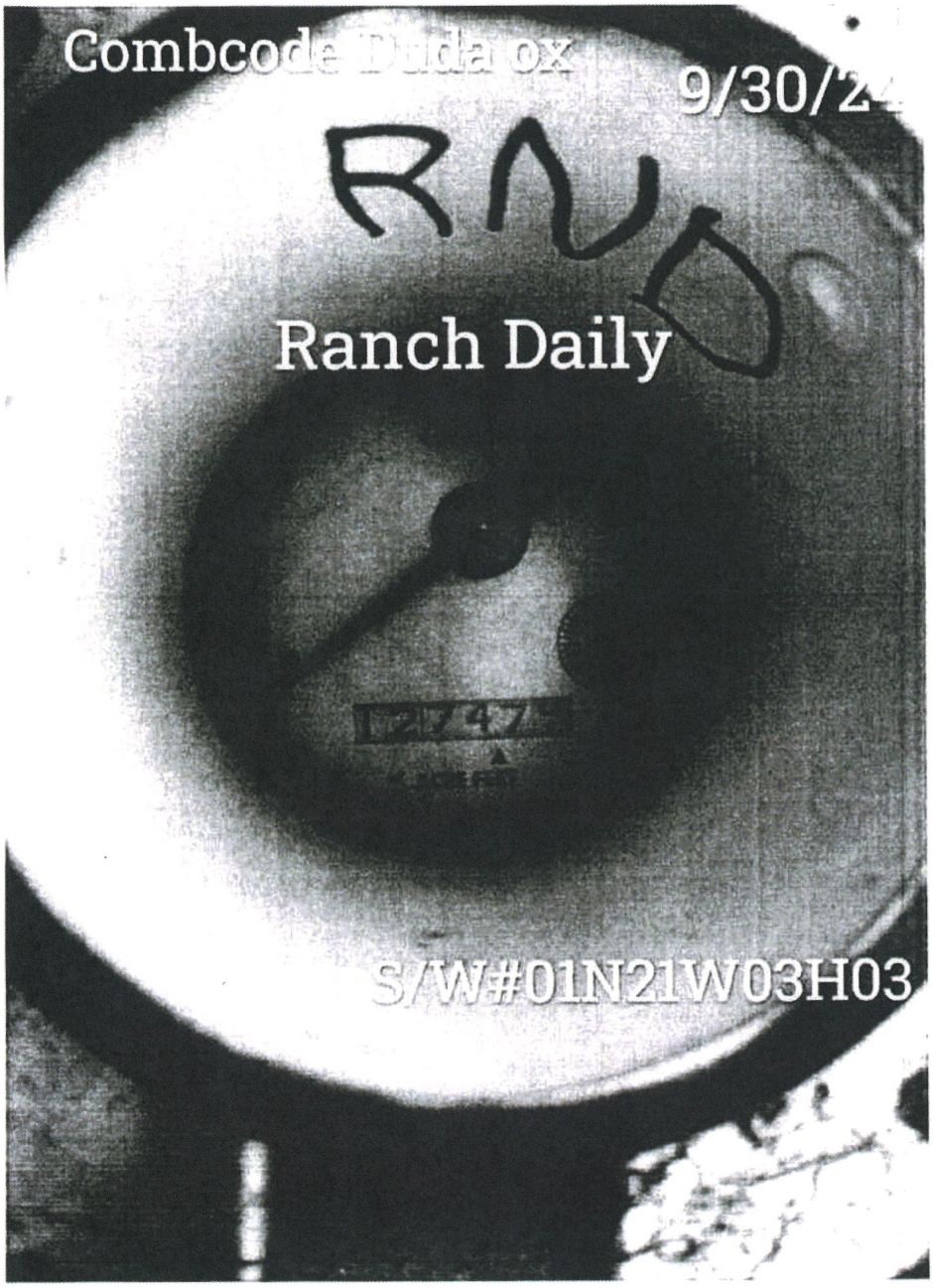
FOX CANYON GROUNDWATER MANAGEMENT AGENCY



STAFF EXHIBIT 11

RECEIVED
JUN 04 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

RECEIVED
FEB 03 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue | Ventura, CA 93009-1610 | (805) 645-1372 | FCGMA.Report@ventura.org | FCGMA.org | Database: FCGMAonline.org

OPV Additional Reporting Requirements

Allocation Ordinance for Agricultural Wells

Water Year: October 1, 2023 - September 30, 2024

FCGMA CombCode: RNDCAM

COMPLETED FORM MUST BE LEGIBLE

Agricultural Operators in the Oxnard and Pleasant Valley Basins **shall provide all APNs irrigated with: 1) groundwater from wells, 2) water received from purveyors, or 3) any other source,** in accordance with the Ordinance to Establish an Allocation System for Oxnard and Pleasant Valley Groundwater Basins, Article 7.1 for Agricultural Well Operators. This information is required to be reported at the end of each Water Year. List one APN and corresponding water sources per row. Should additional Water Sources require more rows leave APN field blank. List Irrigated Acres for each APN only once. Attach additional sheets as necessary. Fillable forms are available at FCGMA.org/public-documents/forms/. Assessor information is available at assessor.countyofventura.org/assessor-data/property-search/.

Assessor's Parcel Number (APN)			Water Sources Per APN				
			State Well Number (SWN):	Water Purveyor:		Other Groundwater Sources:	
List all APNs with irrigated acres. Use first nine (9) digits of each APN, omitting last digit.		Irrigated Acres (per APN)	List SWN(s) under CombCode entered above, supplying water to corresponding APN:	List Purveyors supplying water to corresponding APN. List Turnout / Meter # to corresponding to Purveyor.	Acre Feet (per Purveyor) Provide multiple turnout/meter breakdown separately.	List wells supplying water to corresponding APN (ie.: neighbors well). List N/A if not applicable:	Acre Feet (per SWN)
Example: #1	050-0-060-23	267.00	02N68W42V09	VC Water Works District 1 389, 748	26.832	01N54W78Z02	10.670
#2	060-0-051-10	76.278	02N68W43W10	VC Water Works District 19 P53	7.495	01N54W78Z02m2	4.358
			02N68W43W10m3	PVCWD M-81, X-35	3.298		
	230006101	215.000	02N21W03H03	P3-C	310.843		
	230006119	48.200	02N21W03H03		29.470		

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FEB 03 2025

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800 S. Victoria Avenue | Ventura, CA 93009-1610 | (805) 645-1372 | FCGMA.Report@ventura.org | FCGMA.org | Database: FCGMAonline.org

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

CombCode: RNDCAM

OPV Additional Reporting Requirements

Allocation Ordinance for Agricultural Wells

COMPLETED FORM MUST BE LEGIBLE

Water Year: October 1, 2023 - September 30, 2024

Assessor's Parcel Number (APN)		Water Sources Per APN				
	Irrigated Acres	State Well Number (SWN):	Water Purveyor: Purveyor | Turnout / Meter #	Acre Feet	Other Groundwater Sources:	Acre Feet

Complete documentation, including APNs and all water sources for the current Water Year, is required to be submitted by an authorized representative of the Well Owner or designated Well Operator on record with the Agency. Failure to submit complete documentation may result in assessment of civil penalties in accordance with Resolution No. 2019-01.

I declare under penalty of perjury under the laws of the State of California that the information contained within this document is true and correct.

Emilio C. Quezada
Name of Authorized Well Owner / designated Well Operator

Signature of Authorized Well Owner / designated Well Operator

Well Owner ✔ Well Operator

Duda Farm Fresh Foods Inc
Business Name

860 Pacific Ave | Oxnard | CA | 93030
Street Address / Suite | City | State | Zip

(805) 432-3351 | emilio.quezada@duda.com
Phone Number | Email Address

01/20/2025
Date

I have supplemental reporting information, and it will be compiled electronically and emailed along with this signed, completed form to FCGMA.Report@ventura.org.

STAFF EXHIBIT 11

RECEIVED
JUN 04 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

RECEIVED
FEB 03 2025
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

ORIGIN ID:SFBA
SHERYL BRUCE
A. DUDA & SONS, IN
1200 DUDA TRAIL

OVIEDO, FL 32765
UNITED STATES US

ATE: 03FEB25
WGT: 0.50 LB
AD: 104591819/INET4535

BILL SENDER

TO FOX CANYON G DWATER MANAGMENT

800 S. VICTORIA AVE.

VENTURA CA 93009
(805) 654-2014 REF:
INV:
PO: CCN: 8177 DEPT:

58CJ2/E49C/C6C4

FedEx Express

B 10:30A
ERNIGHT

TRK#

93009
BUR

County of Ventura
To: 1610 - PWA-Water

RECEIVED
FEB 05
PUBLIC W
CENT

City: Ventura
Zip: 93009
Route: HOARoute
Requestor: HOARoute

1610

771844893664

Made from 100% recycled paperboard

Scan to learn how we can help make Earth a priority together.

07/03/24 01:42

STAFF EXHIBIT 12

Public Notices

Originally published at vcstar.com on 05/16/2025

NOTICE OF PUBLIC HEARING ON APPEAL OF FOX CANYON GROUNDWATER MANAGEMENT AGENCY INTERIM EXECUTIVE OFFICER'S DECISION TO DENY WELL APPLICATION NO. 0309, R.N. DAILY RANCH, LLC

NOTICE IS HEREBY GIVEN that the Board of Directors of the Fox Canyon Groundwater Management Agency will conduct a public hearing on the Appeal of R.N. Daily Ranch, LLC., from the decision of the Interim Executive Officer to deny Water Well Permit Application No. 0309. The application materials and compliance aspects of the denied Permit Application will be analyzed in depth.

The public hearing will take place at the time and place noted below.

Friday, June 13, 2025

12:30 P.M.

Multi-Purpose Room

Ventura County Government Center Hall of

Administration

800 South Victoria Avenue Ventura, CA

If you have any questions or for more information regarding the public hearing, please contact the Clerk of the Board at (805) 654-2014. Written materials for the Board's consideration will be available on the Agency's website at http://www.fcgma.org, three days before the Public Hearing.

5/16/25

CNS-3927095#

VENTURA COUNTY STAR

Pub: May 16, 2025

AD #11318406

Retrieved from: https://www.vcstar.com/public-notices/notice/05/16/2025/notice-of-public-hearing-on-appeal-of-2025-05-16-ventura-county-star-california-196d92ba053

STAFF EXHIBIT 12

From: FCGMA
Sent: Friday, June 6, 2025 4:44 PM
To: FCGMA
Subject: Public Hearing on Appeal of FCGMA Determination - Friday, June 13, 2025

Good afternoon,

The Board of Directors of the Fox Canyon Groundwater Management Agency will conduct a public hearing on the Appeal of R.N. Daily Ranch, LLC., from the decision of the Interim Executive Officer to deny Water Well Permit Application No. 0309. The public hearing will take place at the time and place noted below.

Friday, June 13, 2025
12:30 P.M.
Multi-Purpose Room
Ventura County Government Center Hall of Administration
800 South Victoria Avenue Ventura, CA

Written materials for the Board's consideration will be available on the Agency's website three days before the Public Hearing.

During the hearing, unless the hearing officer decides otherwise, the order for presentation of the matter(s) before the Board of Directors shall be as follows:

1. Presentation of the Agency staff report;
2. Presentation of the appellant;
3. Presentations of persons in favor of the appeal;
4. Presentations of persons opposed to the appeal;
5. Appellant's rebuttal, if any;
6. Closing comments by Agency staff and/or Agency Counsel;
7. Board discussion and decision.

In May, public notice of the upcoming hearing was published on the FCGMA website at https://fcgma.org/ and https://fcgma.org/public-documents/public-notices/, and in local paper of record Ventura County Star.

Thank you for your attention. If you have questions regarding the public hearing, please respond to this message.

Regards,

Fox Canyon Groundwater Management Agency

STAFF EXHIBIT 12

800 S. Victoria Ave. L#1610
Ventura, CA 93009
(805) 654-2014 | fcgma@ventura.org
www.FCGMA.org | www.FCGMAonline.org

September 24, 2025, Appeal Hearing (Item 19)

Supplemental Appellant Exhibits

Additional Exhibits may be Entered into Evidence during the Hearing

A: Appeal Letter to the Board dated September 8, 2025 (6 pages)

B: County of Ventura Permit No. 5160 (8 pages)

C: Daily Partnership Agreement, dated August 8, 2011 (18 pages)

D: Emergency Ordinance E, dated April 11, 2014 (6 pages)

E: FCGMA Well Permit Application No. 0272 (9 pages)

F: Correspondence from Kathleen Riedel dated August 7, 2018 (2 pages)

G: Correspondence from Schneider dated October 4, 2018 (1 page)

H: Conditional Approval of FCGMA Permit No. 0272 (2 pages)

I: County of Ventura Permit No. GWP-08309 (4 pages)

J: H02 Abandonment Documentation (4 pages)

K: 2019-1 RNDCAM Efficiency Allocation Application (6 pages)

L: H03 Registration Form, dated May 30, 2019 (2 pages)

M: CombCode Transfer Documents, dated June 16, 2019 (11 pages)

N: UWCD Well Registration H03 (4 pages)

O: 2019-1 RNDCAM SAES Reporting (8 pages)

P: Certificate of Conversion, filed September 18, 2019 (2 pages)

Q: OPV Allocation Ordinance, amended March 24, 2021 (12 pages)

R: Ordinance E Amendment, dated December 13, 2019 (2 pages)

APPELLANT EXHIBIT A

ARNOLD LAROCHELLE MATHEWS
VANCONAS & ZIRBEL LLP

300 EAST ESPLANADE DRIVE
SUITE 2100
OXNARD, CA 93036
T (805) 988-9886
F (805) 988-1937
WWW.ATOZLAW.COM

Writer's Email
garnold@atozlaw.com

September 8, 2025

VIA FEDERAL EXPRESS

Fox Canyon Groundwater Management Agency
Attn: Board of Directors
800 South Victoria Avenue
Ventura, CA 93009-1610

Re: Appeal of Well Application No. 0309

Dear FCGMA:

R.N. Daily Ranch, LLC ("Daily Ranch") submits this supplemental letter brief in support of its appeal from the denial of Application No. 0309 ("Application 0309") to drill a replacement well (for convenience called "Well H04") on the 225 acre parcel of prime agricultural land owned solely by Daily Ranch known as APN 230-0-061-010 ("P225"). Noel Nottingham Daily, Trustee of the Daily Marital Trust UTD May 25, 1995 ("Noel") manages the 50 acre parcel of agricultural land known as APN 230-0-061-090 ("P50"), which is immediately adjacent to and westerly of P225.

The appeal concerns that certain water well known as State Well #01N21W03H02 ("Well H02") that was drilled on P50 in or about 2002. Well H02 failed and was properly abandoned and sealed on December 20, 2018. RND Camarillo Ranch Partnership, the predecessor of Daily Ranch, was granted an approval by the Fox Canyon Groundwater Management Agency ("FCGMA") to drill State Well #001N21W03H03 ("Well H03") on P225, as an express replacement water well for Well H02. Well H03 failed in 2024 and is no longer operational, thereby depriving both P50 and 0225 of adequate irrigation water to farm both properties contained 275 acres of land.

On January 23, 2025, Daily Ranch submitted Application 0309 to drill Well H04, as a replacement for Well H03. On February 5, 2025, the FCGMA, acting through its Interim Executive Officer, Arne Anselm, denied Application 0309 ("Denial Letter"). FCGMA staff submitted its staff report at the first hearing on the Appeal ("Staff Report") citing certain items, which in Staff's view, precluded the issuance of the permit to drill Well H04. This letter will summarize some of Staff's findings, and Daily Ranch's response to the assertions made in the Staff Report.

KENDALL A. VANCONAS* | SUSAN L. MCCARTHY | DENNIS P. MCNULTY | EMILY WHITE

OF COUNSEL GARY D. ARNOLD | DENNIS O. LAROCHELLE

MARK A. ZIRBEL (RETIRED) | JOHN M. MATHEWS (DECEASED)

*Certified Specialist, Estate Planning, Trust & Probate Law
State Bar of California, Board of Legal Specialization*

- Emergency Ordinance E, Article 4 prohibits the issuance of any permit for the construction of a groundwater extraction facility, other than a replacement, back up or standby facility, which does not allow the initiation of any new or increased use of groundwater. It states that a "new or increased use is one that did not exist or occur before for the effective date of the Emergency Ordinance.

    - FCGMA staff argues that these statements prohibit the drilling of H04 because its use did not exist or occur before the effective date of the Emergency Ordinance. Article 4 expressly allows the drilling of replacement wells.

    - The use of water from Well H04 for the benefit of both P50 and P225 will not result in a new or increased use that did not exist before the adoption of Emergency Ordinance E.

- The staff report at page 5 suggests that Article 4 of Emergency Ordinance E might also prevent the replacement well because, according to staff: "it is unclear whether application number 0309 and the operation of a new well would increase extraction above the levels that previously occurred at Well H02 and Well H03 or that extractions would be used for something other than agricultural use on the two parcels.

    - Daily Ranch has already affirmed that allowable extractions would not be increased beyond the limits set forth in the new allocation ordinance.

    - The FCGMA could also condition its approval to confirm the same.

- Attached as Exhibit 17G is a string of emails among Roy Schneider, Beverly Gutierrez and Kathleen Riedel dating back to June, 2020 in which there are various statements about whether an application to transfer extraction allocations was required in order to drill Well H03 as a replacement well for Well H02.

    - Kathleen Riedel in her email of June 25 does indicate that if both wells are operated under the same CombCode, then no transfer of allocation is needed.

    - In an email from Kathleen Riedel to Beverly Gutierrez on June 25, 2020, she states that the June 30 date referenced in Section 11.7 of the Allocation Ordinance applies to variances, but transfers of allocation can occur after June 30.

- Kathleen again confirmed that if both wells are operated under the same CombCode, then no transfer of allocation is needed. Since Well H02 had failed, it was obvious that "both" wells would be operated under the same CombCode.

- Kathleen Riedel states again on June 26 that the June 30 date does not apply to combining of two wells onto one CombCode.

- On June 26, 2020, Roy Schneider also sends an email to Kathleen Riedel in which he states: "the parties may be moving forward with a well sharing agreement and the owner of the destroyed well, situated on a separate parcel from the one where the well now sits, would like to have that in place before transferring the allocation.

  - Everyone admits and acknowledges the water extracted from Well H02 and Well H03 was used to irrigate both P50 and P225.

  - Daily Ranch has repeatedly advised Noel and FCGMA that the operation of Well H04 would be equitably shared between P50 and P225, based on the relative acreage contained in each parcel.

  - Water rights attach to the land, not to a particular well. P225 has established its own legal right to a portion of the FCGMA allocation, at least equal to 225/275ths (or 81.82%) of the extraction allocation, regardless of any execution of a transfer application.

  - Daily Ranch should not have to wait for the completion of the pending water adjudication lawsuit to verify that it is entitled to equitable share of the allocation.

  - Note further that the entire FCGMA allocation ordinance will be replaced by the court's judgment.

- In an email from Beverly Gutierrez to the FCGMA on June 19, 2020, she stated that the allocation for the Daily Ranch is on the destroyed well 01N21W03H02 ("Well H02"), with the CombCode of OVP-OTR. The new well is 01N21W03H03 ("Well H03") bearing CombCode RNDCAM. Beverly apologized for the error and asked to combine the CombCodes.

  - There were several reasons for Beverly's email.

  - First, she was cooperating with FCGMA staff to get permission to drill Well H03 because of the failure of Well H02 and could not afford any delays because of the loss of rental income.

- Second, she wanted to make sure that the extraction allocation previously granted to Well H02 could be transferred, in whole or part, to Well H03 after June 30, 2020.

- Third, the reporting of extractions under either or both CombCodes were irrelevant to the Daily family since both parcels had been jointly farmed for many years, and would continue to be so.

- Section 9.2 of the new allocation ordinance stated that requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include specific details of their proposal.

  - The prior Ordinance required FCGMA to issue an allocation of Well H03 at the time it was drilled. In granting its permission to drill Well H03, it at least impliedly, if not expressly, granted an allocation to Well H03.

  - The Conditional Approval by the FCGMA for Well H03 on October 29, 2018 did not require an allocation transfer. FCGMA implicitly acknowledged that Well H03 had an allocation by allowing extractions from Well H03 for approximately 6 years after it was drilled. The Conditional Approval only required that extractions from Well H02 (which had failed) and Well H03 be reported under the same CombCode.

  - The new Allocation Ordinance took effect after Well H03 had already been drilled.

  - What happens if the one owner (Noel), with the failed water well, refuses to cooperate with his or her neighbor (Daily Ranch) who had relied on the jointly owned/used water well for years? This administrative rule would arbitrarily give the first owner the practical ability to demand unreasonable concessions from the neighbor. Would the FCGMA really require the parties to sue each other even though there is an obvious equitable sharing of the allocation between 2 parcels?

- FCGMA staff admits that it allowed extractions to occur from Well H03 because it was operated under the same CombCode, but then Staff argues that Noel did not agree or consent to the application of Daily Ranch to drill Well H04.

  - Adele Poliquin dated and signed an application for a Well Permit with the County of Ventura dated July 13, 2018. Attached to that application is a specific consent signed by Noel Daily which states: “On behalf of the Daily Family Trust, the owner of assessor‘s parcel number 230-0-061-090, I hereby consent to the foregoing acknowledgment and support the drilling of a replacement well on Assessor‘s parcel number 230-0-061-010 which will serve both parcels”.

- Noel further expressly consented in writing to the combination of CombCode OVP-OTR and CombCode RNDCAM.

- On October 4, 2018, Roy Schneider, the attorney for Noel, expressly acknowledges and supported the drilling of the replacement well on the Daily Ranch property known as Well H03. He states that the original well and the contemplated replacement well has and will continue to serve both parcels.

- Staff's argument runs afoul of common sense. Well H04 cannot be a replacement for Well H02, since that well was already replaced by Well H03.

- FCGMA staff has also raised and noted the probate litigation between Noel and Adele.

  - While there are some public records regarding the litigation, none of those issues should be considered by the directors of FCGMA, or staff in considering the application to drill the replacement water well.

  - The only issue to be resolved is whether Daily Ranch has submitted a proper application to drill a replacement well and has demonstrated that it actually has the necessary extraction allocations to support the extractions from Well H04.

  - Daily Ranch continues to offer and will confirm that Noela and P50 is entitled to 18.12% of the extractions from Well H04, equivalent to 50/275ths.

In summary, FCGMA's Staff relies upon a single sentence from Section 9.1 of the Allocation Ordinance, adopted after Well H03 was drilled as a replacement of Well H02, which states that "Requests for transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal". Despite dozens of requests since 2020 from Daily Ranch, and its representatives, for Noel to confirm the equitable sharing of the extraction allocations, she and her lawyers have refused to cooperate or sign the one (1) form requested by FCGMA. However, Noel and/or her lawyers have signed, stated and confirmed all of the following:

July 13, 2018. Noel Daily signs a consent to support the drilling of a replacement well on Assessor's parcel number 230-0-061-010 which will serve both parcels.

October 4, 2018: Legal counsel for Noel expressly consented to the drilling of Well H03, as a replacement for the failed Well H02 on P50.

June 29, 2020: Noel signed authorizations for the merger of two (2) CombCodes OVP-OTR and RNDCAM into one (1) CombCode, RNDCAM in connection with Well H03.

APPELLANT EXHIBIT A

June 30, 2020: Noel signed authorizations for the merger of two (2) CombCodes OVP-OTR and RNDCAM into one (1) CombCode, RNDCAM in connection with Well H03.

July 31, 2023: Noel again confirmed in writing that the prior CombCode of OVT-OTR was merged into and became RMDCAM.

Daily Ranch has submitted overwhelming evidence that Staff and the FCGMA itself have recognized and allowed extraction allocations from Well H03, without the allegedly required signing of the allocation transfer form. Such extractions have occurred since the drilling and operation of Well H03 in 2018 without objection for over 6 years, until the present application was filed to drill a new replacement well.

Given the years and years of compliance with the Conditional Approval in 2018 and the subsequent rules and regulations of the FCGMA by Daily Ranch, it is improper for staff to rely upon a technical omission to deny the right of Daily Ranch to drill a replacement well. Well H03 is located on P225. Well H04 will replace Well H03, and not Well H02. Daily Ranch has, and hereby does again confirm, that (a) extractions from Well H04 will be used for the benefit of both P50 and P225 (b) all extractions will be reported under the same CombCode and (c) the total extractions will be consistent with the extraction allocations issued to Well H03 solely for agricultural purposes.

Very truly yours,

ARNOLD LAROCHELLE MATHEWS
VANCONAS & ZIRBEL LLP

/s/ Gary D. Arnold

Gary D. Arnold

GDA:
Cc: Daily Ranch (via Email)
Beverly Gutierrez (via Email)

APPELLANT EXHIBIT B

County of Ventura

WELL PERMIT APPLICATION

800 South Victoria Avenue, Ventura CA 93009

Permit No. 5160

NAME OF WELL OWNER	OWNER MAILING ADDRESS (STREET, CITY, ZIP)
RICHARD DAILY	215 E. DAILY DRIVE, SUITE 23 CAMARILLO, CA 93010
OWNER TELEPHONE NUMBER	**NAME OF WELL DRILLER** / **LICENSE NUMBER**
(805) 484-1511	BARBOUR WELL SURVEYING CORP. / 627325

I hereby agree to comply with all regulations pertaining to well construction, repair, modification and destruction. Within 30 days of completion of work, I will furnish the Ventura County Public Works Agency, Water Resources and Engineering Department, Water Resources Division with a complete and accurate log of the well. Any modification of this permit requires approval by the Director. Call (805) 654-2907 or 654-2904. *When signed by the Director of Public Works, this application is a permit.*

Applicant's Signature Scott L. Barbour Date 2/5/02

☐ Owner ☒ Driller ☐ Consultant (List Firm and Phone Number) (805) 482 4988

Estimated Dates of Work: Start _____ Completion _____ FAX: (805) 987-6538

TYPE OF WORK (Check)	USE (Check)	EQUIPMENT (Check)	WELL DEPTH	PROPOSED CASING
Water Supply Well ☒	Public ☐ Domestic ☐	Air Rotary ☐	900 FEET	Steel STAINLESS ☒
Repair or Modification ☐	Agricultural ☒	Mud Rotary ☒	DIAMETER WELL BORE	PVC ☐
Destruction ☐	LUFT Invest/Clean-up ☐	Hollow Stem ☐	22 INCHES	Other ☐
Monitoring (No.) ☐	Site Assess/Leak Detect ☐	Cable Tool ☐		Diameter 16
Borehole (No.) ☐	Other ☐	Other ☐		Wall or Gage .250

PROPOSED SEALING ZONE(s)	SEALING MATERIAL (Check)	PERFORATIONS OR SCREEN
From 0 to 100' Ft with Concrete or	Neat Cement ☐ Bentonite Chips ☐	From 700 to 900 Ft
From _____ to _____ Ft with cement grout	Cement Grout ☐ Concrete ☒	From _____ to _____ Ft
From _____ to _____ Ft with _____	(10 Sack/Yd³ Mix) (6 Sack/Yd³ Mix)	From _____ to _____ Ft

FOR OFFICE USE

Permit Start Date 6-6-02 $ 610.00 Fee Paid On 6-06-02 Receipt No. 5151

Expiration Date 12-6-02 Date Sealed 6/18/02 Inspector's Signature MSA

Disposition of Application: ☒ Approved with conditions below ☐ Denied

Agency: ☒ GMA ☒ UWCD ☐ City _____ ☐ Other _____

Permit conditioned and checked by Glen Luscombe Date 6/6/02

CONDITIONS FOR NEW WELL:

1. All work must be performed by a well contractor licensed by the State of California, and registered with Ventura County.
2. Diameter of well borehole shall be at least 4 in. larger than outside diameter of casing, to the base of sealing.
3. During drilling and development the Contractor shall retain all drilling fluids and groundwater discharges within the drilling site. No fluids shall drain offsite to flood control channels, creeks, rivers, sewers or any watercourses.
4. Concrete or Cement Grout annular sealing material shall be applied by means of a grout pipe placed within 2 ft. of the base of the sealing zone from a depth of 100 feet to ground surface.
5. Public Works Inspector shall be present during placement of all sealing material. **(NOTE: 24-hour advance notice is required: call (805) 654-2904 or 654-2024).**
6. A water quality sample shall be collected by the drilling contractor near the end of the well development phase, after the maximum production rate and the desired water clarity has been achieved. **Identify the sample by well permit number** and submit the sample to a State DOHS-approved laboratory for either General Mineral or Irrigation Suitability analysis.
7. A **well log** on an original California Department of Water Resources (DWR) Well Completion Report form shall be submitted to this Department within **30 days** after well sealing. A copy of the laboratory **water quality report** shall be submitted to this Department within **60 days** after well sealing. **Mail to:** County of Ventura - Public Works Agency, Water Resources and Engineering Department, 800 South Victoria Avenue Ventura, CA. 93009-1600

GMA CONDITIONS:

1. **Ordinance 1.3 requires all operators of groundwater extraction facilities (wells) located within the Fox Canyon Groundwater Management Agency (GMA), to register their wells, report extractions and pay extraction charges.** For more information on the GMA, please call (805) 654-2327 or (805) 645-1372.
2. Ordinance 3.1 requires meters on all extraction facilities, except those supplying a single family dwelling on one acre or less with no income producing operations.
3. Ordinance 5.8 requires operators to reduce extractions or pay surcharges on extractions that exceed the allocation assigned to the extraction facility.

Public Works Director La Vern Hoffman Date 6/2/02

Permit 5160

01N21W03H02S

APPELLANT EXHIBIT B

County of Ventura

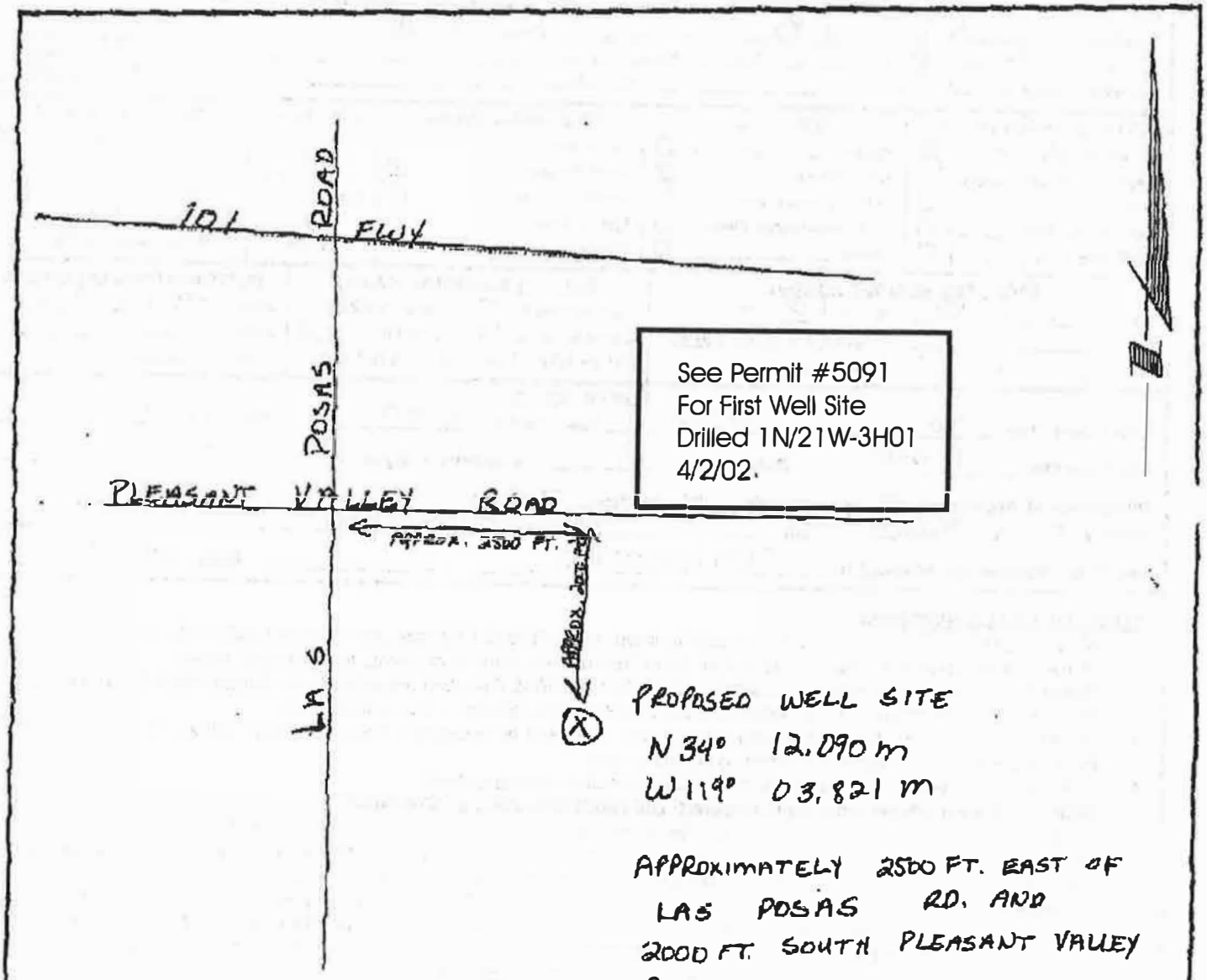
WELL PERMIT APPLICATION

800 South Victoria Avenue, Ventura CA 93009

Permit No. 5160

LOCATION

INDICATE BELOW THE **EXACT LOCATION** OF WELL WITH RESPECT TO THE FOLLOWING ITEMS: PROPERTY LINES, WATER BODIES OR WATER COURSES, DRAINAGE PATTERN, ROADS, EXISTING WELLS, SEWERS AND PRIVATE SEWAGE DISPOSAL SYSTEMS. INCLUDE DIMENSIONS. LIST ASSESSOR'S PARCEL NUMBER AND THOMAS BROS. GUIDE NUMBER.



Assessor's Parcel Number 230-0-061-090 Thomas Bros. Guide 524-C5

FOR OFFICE USE

01N21W03H | 6344 | 5160

STATE WELL NUMBER | QUAD NUMBER | PERMIT NUMBER

PWA-88-0000038 (Rev. 12/80)

APPELLANT EXHIBIT B

WATER WELL SEALING RECORD

GPS 34° 12' 04.8"
119° 03' 44.1"

PERMIT # 5160

RT DATE 6 / 2 / 02
EXPIRATION DATE 12 / 2 / 02

☑ NEW WELL ☐ DESTRUCTION ☐ OTHER

TYPE OF MATERIAL USED Neat Cement

WELL #	DELIVERED TO SITE Cu. Yd.	LEFT OVER Cu. Yd.	USED FOR SEALING Cu. Yd.	BOREHOLE Diameter (NEW WELLS)	WELL CASING Diameter	DEPTH OF SEAL FROM	DEPTH OF SEAL TO
☐ ____ ☐ MIX ON SITE	50			26"	16"	585'	0'
☐ ____ ☐ MIX ON SITE	(5yds per						
☐ ____ ☐ MIX ON SITE	truck)						

METHOD OF SEAL PLACEMENT: ☑ GROUT PIPE ☐ DROP ☐ OTHER ____
NUMBER OF GROUT PIPE SECTIONS 19 LENGTH OF EACH SECTION 31' FEET

(DESTRUCTION ONLY)
CONFIRMATION THAT THE CASING WAS RIPPED OR PERFORATED AS REQUIRED BY THE PERMIT.

REMARKS: • Othe well drilled adjacent to this one (permit 5109) (01N21W03H01) suffered casing failure @ approx 334' according to camera survey.
• Inspector on site to witness 4th truck pump cement - delays in delivery meant seal slower than expected.

DESCRIBE ANY VARIANCE IN THE SEALING METHOD OR MATERIAL FROM PERMIT CONDITIONS, OF ANY OTHER FACTOR WHICH, IN YOUR ESTIMATION, MIGHT HAVE CAUSED THE SEALING OPERATION TO BE LESS THAN SATISFACTORY ____

IN MY OPINION, THE WELL SEALING WAS:

☑ SATISFACTORY

☐ UNSATISFACTORY FOR REASONS DESCRIBED ABOVE

INSPECTION SERVICES
START 1310 6/18/02
COMPLETED 1610 6/18/02

OPTION:

☑ ATTACHED PHOTO OF SITE AND IMMEDIATE VICINITY
☑ ATTACHED CEMENT TRUCK REPORT
☐ OTHER ____

DATE SEALED: 6 / 18 / 02

INSPECTOR

6/18/02
DATE

REVISED 8/92 SEALING1 CDAWWR/PM4

(OVER)

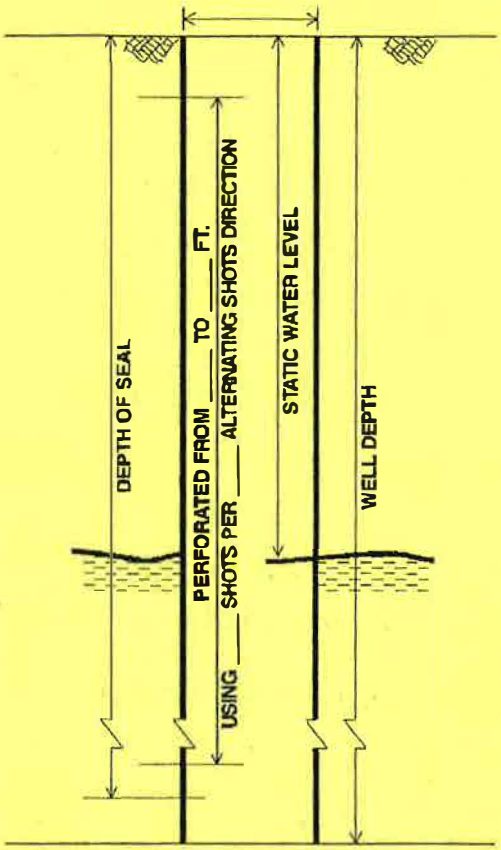
APPELLANT EXHIBIT B

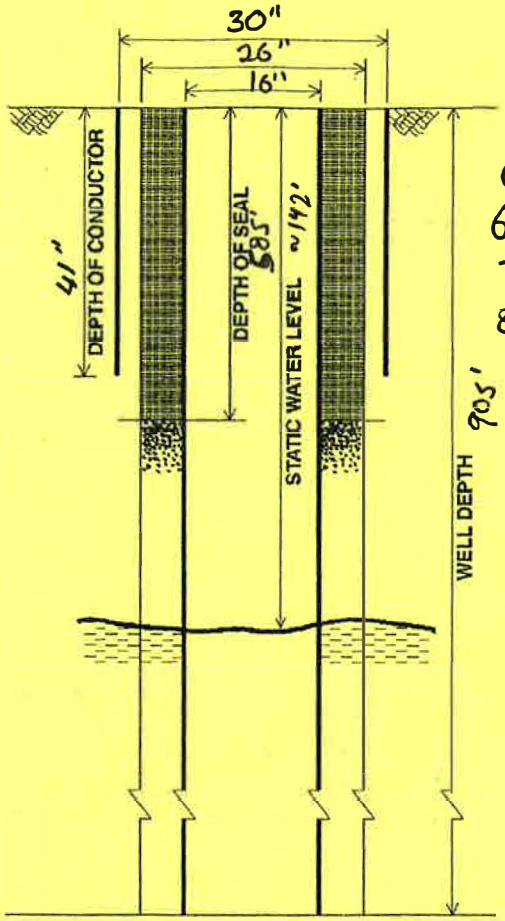
INSPECTION NOTES

PERMIT # 5160

☐ DESTRUCTION

☑ NEW WELL





615 - 655
695 - 735
775 - 835
855 - 895

QUANTITIES OF		WATER	CEMENT	BENTONITE	SAND	GRAVEL	CLAY
☐ NEAT CEMENT	(CEMENT SLURRY): CEMENT + WATER				———	———	———
☐ CEMENT GROUT:	CEMENT + WATER + SAND					———	———
☐ CONCRETE:	CEMENT + WATER + SAND + GRAVEL						———
☐ CLAY PELLETS:	SOMETIMES USED AS A SEAL BETWEEN GRAVEL SURROUNDING PERFORATIONS AND CONCRETE SEAL IN SHALLOW (MONITORING) WELLS						

REVISED 8/92, SEALING2.CDR/WMF/PN-4

APPELLANT EXHIBIT B

Date: 06/18/02

Ticket No: 19734

Sold To:
BARBOUR WELL SURVEYING
934 W. VENTURA STREET
CAMARILLO, CA 00000

Deliver To:
PLEASENT VALLEY X
E/O LAS POSAS
CAMARILLO
524 B-5

TEAM Transit Mix

Plant:
548 Diaz Ave
Oxnard, CA 93030

Phone: 805-385-3050
Fax: 805-385-3051

Mailing Address:
P.O. Box 1268
Oxnard, CA 93032

2nd to last load pumped into well. last load pumped into well

PLANT # 7294

DUE ON JOB	LOAD #	MIX
06/18/02 10:00	9	399
TIME LOADED	**LOAD SIZE**	**DESCRIPTION**
13:47:04	5	20 SK. NEAT CEMENT
USE	**ORDERED**	**DRIVER/TRUCK**
	50	DAVID
SLUMP	**DELIVERED**	
8	10.00	
WATER TRIM	**C.O.D.**	**CHARGE**
		X

LEAVE PLANT	14:05	**LEAVE JOB**	
ARRIVE JOB		**RETURN PLANT**	
START UNLOADING		**TOTAL TRIP TIME**	
FINISH UNLOADING		**TIME ALLOWED**	
UNLOAD\TIME		**DELAY TIME**	

DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
399 20 SK. NEAT CEMENT	5.00	0.00	0.00

PROPERTY DAMAGE RELEASE
(TO BE SIGNED IF DELIVERY TO BE MADE INSIDE CURB LINE) **Dear Customer:** the driver of this truck in presenting this **RELEASE** to you for your signature is of the opinion that the size and weight of his truck may possibly cause damage to the premises and/or adjacent property if he places the material in ...tion where you desire it. It is our wish to help you in every ...that we can, but in order to do this the driver is requesting ...you sign this **RELEASE** relieving him and this supplier from ...responsibility from any damage that may occur to the premises and/or adjacent property, buildings, sidewalks, driveways, curbs, etc. by the delivery of this material and that you also agree to help him remove mud from the wheels of his vehicle so that he will not litter the public street. Further, as additional consideration, the undersigned agrees to indemnify and hold harmless the driver of this truck and this supplier for any and all damage to the premises and/or adjacent property which may be claimed by anyone to have arisen out of delivery of this order.

Signature:

WARNING
IRRITATING TO THE SKIN AND EYES
Contains Portland Cement. Wear Rubber Boots and Gloves. PROLONGED CONTACT MAY CAUSE BURNS. AVOID CONTACT WITH EYES. Flush thoroughly with water. If irritation persists, get MEDICAL ATTENTION.

KEEP CHILDREN AWAY.

CONCRETE IS A PERISHABLE COMMODITY and BECOMES the PROPERTY of the PURCHASER UPON LEAVING the PLANT. ANY CHANGES or CANCELLATION of ORIGINAL INSTRUCTION MUST be TELEPHONED to the OFFICE BEFORE LOADING STARTS.
The undersigned promises to pay all costs, including reasonable attorney's fees, incurred in collecting any sums owed. All accounts not paid within 30 days of delivery will bear interest at the rate of 18% per annum. Not responsible for Reactive Aggregate or Color quality. No Claim Allowed Unless made At Time Material is Delivered.
A $25.00 Service Charge and Loss of the Cash Discount will be Collected on all returned Checks. Excess Delay Time charged at $3.25 per minute

DRUM REVOLUTIONS	SLUMP ☐ CYL ☐	SLUMP ☐ CYL ☐	SLUMP ☐ CYL ☐
LOAD START END	BEGIN	MIDDLE	END
SLUMP METER			

EXCESSIVE WATER IS DETRIMENTAL TO CONCRETE PERFORMANCE
H_2O ADDED BY REQUEST/AUTHORIZED BY

_____ GAL x _____

STANDING TIME: Customer is allowed 4 minutes per cu. yd. unloading time from arrival at job to finish unloading. Excess time will be charged at the prevailing rate per hour or any part thereof.

REASON FOR DELAY TIME: ☐ PUMP BROKE DOWN ☐ JOB NOT READY ☐ ADDING WATER ☐ TRUCK BROKE DOWN ☐ SLOW PLACING ☐ ARRIVED EARLY

OTHER EXPLAIN:

SALES TAX	0.00
SUBTOTAL	0.00
DELAY CHARGE	
TOTAL	

TEAM TRANSIT MIX WEIGHTMASTER

WEIGHTMASTER CERTIFICATE: THIS IS TO CERTIFY that the following commodity was weighed, measured, or counted by a weightmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

NOTICE: MY SIGNATURE BELOW INDICATES THAT I HAVE READ THE **HEALTH WARNING NOTICE** AND **MATERIAL SAFETY DATA SHEET** ON BACK. SUPPLIER WILL NOT BE RESPONSIBLE FOR ANY DAMAGE.

LOAD RECEIVED BY: R. Marsh DATE 6-18-02

WHITE/OFFICE YELLOW/CUSTOMER GREEN/INSPECTOR PINK/BILLING GOLD/FILE

APPELLANT EXHIBIT B

Date: 06/10/02

Ticket No. 19755

Sold To:
BARBOUR WELL SURVEYING
234 W. VERDULERA STREET
CAMARILLO, CA 00000

Deliver To:
PLEASENT VALLEY X
E/O LAS POSAS
CAMARILLO
524 B-5

last load pumped into well

TEAM Transit Mix

Plant:
548 Diaz Ave
Oxnard, CA 93030

PLANT # 7294

Phone: 805-385-3050
Fax: 805-385-3051

Mailing Address:
P.O. Box 1268
Oxnard, CA 93032

DUE ON JOB	LOAD #	MIX
06/10/02 10:00	9	399
TIME LOADED	**LOAD SIZE**	**DESCRIPTION**
13:55:21	5 20	SK. NEAT CEMENT
USE	**ORDERED**	**DRIVER/TRUCK**
	50	AL
SLUMP	**DELIVERED**	
8	45.00	
WATER TRIM	**X.C.O.D.**	**CHARGE**
		0

LEAVE PLANT	1406	LEAVE JOB	
ARRIVE JOB	1421	RETURN PLANT	
START UNLOADING		TOTAL TRIP TIME	
FINISH UNLOADING		TIME ALLOWED	
UNLOAD\TIME		DELAY TIME	

DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
399 20 SK. NEAT CEMENT	5.00	0.00	0.00

PROPERTY DAMAGE RELEASE
(TO BE SIGNED IF DELIVERY TO BE MADE INSIDE CURB LINE) **Dear Customer:** the driver of this truck in presenting this **RELEASE** to you for your signature is of the opinion that the size and weight of his truck may possibly cause damage to the premises and/or adjacent property if he places the material in the load where you desire it. It is our wish to help you in every way that we can, but in order to do this the driver is requesting that you sign this **RELEASE** relieving him and this supplier from any responsibility from any damage that may occur to the premises and/or adjacent property, buildings, sidewalks, driveways, curbs, etc. by the delivery of this material and that you also agree to help him remove mud from the wheels of his vehicle so that he will not litter the public street. Further, as additional consideration, the undersigned agrees to indemnify and hold harmless the driver of this truck and the supplier for any and all damage to the premises and/or adjacent property which may be claimed by anyone to have arisen out of delivery of this order.

Signature:

WARNING
IRRITATING TO THE SKIN AND EYES
Contains Portland Cement. Wear Rubber Boots and Gloves. PROLONGED CONTACT MAY CAUSE BURNS. AVOID CONTACT WITH EYES. Flush thoroughly with water. If irritation persists, get MEDICAL ATTENTION.
KEEP CHILDREN AWAY.

CONCRETE IS A PERISHABLE COMMODITY and BECOMES the PROPERTY of the PURCHASER UPON LEAVING the PLANT. ANY CHANGES or CANCELLATION of ORIGINAL INSTRUCTION MUST be TELEPHONED to the OFFICE BEFORE LOADING STARTS.
The undersigned promises to pay all costs, including reasonable attorney's fees, incurred in collecting any sums owing. All accounts not paid within 30 days of delivery will bear interest at the rate of 18% per annum. Not responsible for Reactive Aggregate or Color quality. No Claim Allowed Unless made At Time Material is Delivered.
A $25.00 Service Charge and Loss of the Cash Discount will be Collected on all returned Checks. Excess Delay Time charged at $1.25 per minute.

DRUM REVOLUTIONS	SLUMP ☐ CYL ☐	SLUMP ☐ CYL ☐	SLUMP ☐ CYL ☐
LOAD START END	BEGIN	MIDDLE	END
SLUMP METER			

EXCESSIVE WATER IS DETRIMENTAL TO CONCRETE PERFORMANCE
H_2O ADDED BY REQUEST/AUTHORIZED BY
_____ GAL X _____

STANDING TIME: Customer is allowed 4 minutes per cu. yd. unloading time from arrival at job to finish unloading. Excess time will be charged at the prevailing rate per hour or any part thereof.
REASON FOR DELAY TIME: ☐ PUMP BROKE DOWN ☐ JOB NOT READY ☐ ADDING WATER ☐ TRUCK BROKE DOWN ☐ SLOW PLACING ☐ ARRIVED EARLY
OTHER EXPLAIN:

SALES TAX	0.00
SUBTOTAL	0.00
DELAY CHARGE	
TOTAL	

TEAM TRANSIT MIX WEIGHTMASTER

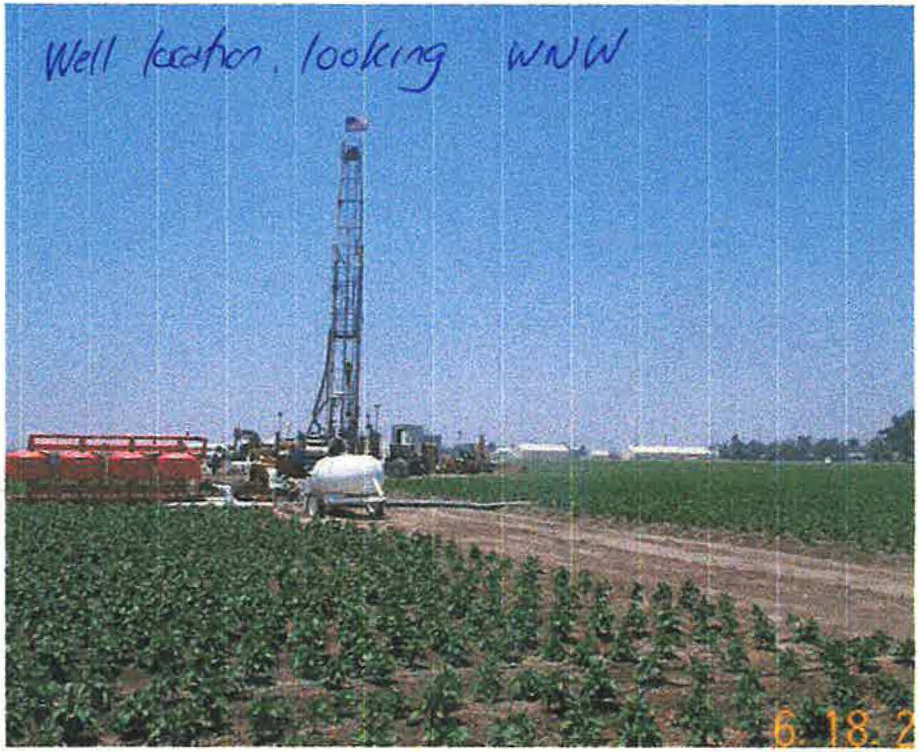
WEIGHTMASTER CERTIFICATE: THIS IS TO CERTIFY that the following commodity was weighed, measured, or counted by a weightmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

NOTICE: MY SIGNATURE BELOW INDICATES THAT I HAVE READ THE **HEALTH WARNING NOTICE** AND **MATERIAL SAFETY DATA SHEET** ON BACK. SUPPLIER WILL NOT BE RESPONSIBLE FOR ANY DAMAGE.

LOAD RECEIVED BY: R. Marks DATE 6-18-10

WHITE/OFFICE YELLOW/CUSTOMER GREEN/INSPECTOR PINK/BILLING GOLD/FILE

Permit 5160 6/18/02 MSD



APPELLANT EXHIBIT B

APPELLANT EXHIBIT B

WATER WELL SEALING RECORD

PERMIT # 5160

PHOTOS OF SITE AND IMMEDIATE VICINITY

WELL # 01N21W03H02S

DATE 6/10/02

EXPLANATION: See annotation on photos

WELL # _____

DATE / /

EXPLANATION: _____

PHOTOS 1-4

TAKEN BY ~~5160~~ MP

APPELLANT EXHIBIT C

RND CAMARILLO RANCH PARTNERSHIP

This Partnership Agreement ("Agreement") is entered into and effective as of August 25, 2011, by (a) Richard N. Daily, Trustee of the Enid Daily Trust FBO Richard N. Daily Dated January 24, 1970, and (b) Richard N. Daily, Trustee of the Richard N. Daily Separate Property Trust Dated May 25, 1995 ("Partners").

1. The Partners desire to form a general partnership ("Partnership") under the laws of the State of California for the purposes and on the terms and conditions stated in this Agreement.

2. Name. The Partnership's name is RND CAMARILLO RANCH PARTNERSHIP, and the Partnership's business shall be conducted under that name.

3. Place of Business. The Partnership's principal office and place of business shall be at 215 E. Daily Drive, Suite 23, Camarillo, in Ventura County, California. The principal place of business may be changed from time to time, and other offices may be established by the Partners, in accordance with the terms and conditions of this Agreement.

4. Term. The Partnership shall begin on the date of this Agreement and shall continue until it is terminated earlier as provided in this Agreement. On the expiration of its term, the Partnership shall be dissolved and its affairs shall be wound up.

5. Business of Partnership. The Partnership's business shall be to acquire, hold, manage and lease commercial real estate and any and all other businesses which the Partnership elects to pursue. The Partnership shall have the power to do all acts and things in furtherance of and incidental to this business.

6. Powers. The Partnership is empowered to do any and all things necessary, appropriate, or convenient for the furtherance and accomplishment of its purposes, and for the protection and

APPELLANT EXHIBIT C

benefit of the Partnership and its properties, including but not limited to the following:

(a) Entering into and performing contracts of any kind;

(b) Acquiring, constructing, operating, maintaining, owning, transferring, renting, or leasing any property, real, personal, or mixed;

(c) Borrowing money and issuing evidences of indebtedness, and securing any such indebtedness by mortgage, deed of trust, pledge, lien, or other security interest in or on any properties of the Partnership;

(d) Applying for and obtaining governmental authorizations and approvals;

(e) Bringing and defending actions at law or equity; and

(f) Subject to the express provisions of this Agreement, purchasing the interest of any Partner.

7. Statutory Filings. The Partners, or any one of them, on the Partnership's behalf, shall sign and cause to be filed and published an appropriate fictitious business name statement under the California Fictitious Business Name Act within 40 days after the Partnership begins doing business, within 40 days after any subsequent change in its membership, and before the expiration of any previously filed statement. Each Partner appoints Richard N. Daily as his or her agent and attorney-in-fact to execute on his or her behalf any such fictitious business name statement.

8. Property. As tenants-in-common, the Partners own certain commercial real estate located in Camarillo, California (the "Property"). This partnership has been formed for the purpose of simplifying and facilitating the banking, accounting and tax reporting of the trusts' rental operations. Notwithstanding the formation of this Partnership, the property that is currently owned by the Partners as tenants-in-common shall continue to be owned in that capacity, and is not intended to, and shall not be inferred to, be transferred into the Partnership name.

9. Allocation of Profits and Losses. The Partnership's profits and losses shall be allocated among the Partners in the same proportions as their ownership of the Property.

APPELLANT EXHIBIT C

10. Distributions. The Partnership may distribute to the Partners any cash in excess of amounts reasonably necessary to the conduct of the Partnership's business. Distributions shall be made to the Partners in the same proportions as their ownership of the Property.

11. Fiscal Year. The fiscal year of the Partnership shall be the calendar year.

12. Accounting Method. The Partnership books shall be kept on the federal income tax basis.

13. Records and Reports. The Partnership shall keep proper and complete books of account of its business at its chief executive office. The Partnership shall provide to its Partners and their agents and attorneys access to the books and records, and shall provide to former Partners and their agents and attorneys access to books and records pertaining to the period during which they were Partners. This right of access includes the opportunity to inspect and copy books and records during ordinary business hours. The Partnership may impose reasonable charges covering the cost of labor and material for copies of documents furnished. The accounting records shall be maintained in accordance with generally accepted bookkeeping practices for this type of business.

14. Management and Control. The Partnership shall have one Manager who shall be Richard N. Daily. Richard N. Daily has absolute and full authority to take any and all actions that Richard N. Daily deems necessary and appropriate to fulfill the purposes of the Partnership and this Agreement. Any document to be executed or action to be taken by the Partnership shall be deemed approved, ratified and affirmed by the Partnership provided that it is executed or done by Richard N. Daily and third parties shall be entitled to rely upon such actions of Richard N. Daily. If Richard N. Daily wishes to do so, Richard N. Daily may execute a power of attorney authorizing another individual to act on his and the Partnership's behalf, which agent shall thereafter be empowered to the same extent as Richard N. Daily so long as such power of attorney is not terminated.

15. Banking. All Partnership funds shall be deposited in the Partnership's name and shall be subject to withdrawal only on the signature of either Richard N. Daily or an agent, if any, appointed by Richard N. Daily in either (a) an executed and

APPELLANT EXHIBIT C

acknowledged power of attorney, or (b) a bank prepared form of power of attorney or designation of agent.

16. Termination. This Partnership may be terminated at any time by any Partner upon giving notice to the Partnership and the other Partners. In the event of termination, the business of the Partnership shall be wound up, final tax returns filed, and the bank accounts closed by distributing to the Partners the balance of funds after payment of all outstanding bills. In as much as the Property is not owned by the Partnership, being owned directly by the Partners as tenants-in-common, no distribution of the Property is required after termination of this Partnership, after which the Partners shall operate, account and report taxes in their capacities as tenants-in-common.

17. Miscellaneous.

(a) Notices. Wherever in this Agreement a notice is required to be given, such notice shall be in writing, addressed to the person entitled to such notice, and shall be sent by a nationally recognized overnight courier service which maintains a permanent delivery record (i.e. Federal Express) or by registered or certified mail, postage prepaid, to the address of such person as set forth in this Agreement, or such address or addresses designated in writing from time to time. The notice shall be deemed delivered (i) on the delivery date as shown in the regular business records of the nationally recognized overnight courier service or (ii) on the third (3rd) business day after such notice has been deposited in the United States Post Office, as the case may be.

(b) Headings. The titles and headings of the various sections and paragraphs of this Agreement are intended solely for convenience of reference and are not intended to explain, modify or place an interpretation upon any of the provisions of this Agreement.

(c) Time of Essence. All times and dates in this Agreement shall be of the essence.

(d) Entire Agreement. This Agreement contains all of the representations and the entire understanding and agreement between the parties hereto with respect to the subject matter of this Agreement. Correspondence, memoranda or agreements, whether written or oral, originating before the date of this Agreement with respect to the subject matter of this Agreement are replaced in total by this Agreement unless otherwise specifically stated.

APPELLANT EXHIBIT C

(e) Amendment. This Agreement may be amended only by a writing signed by all of the parties to this Agreement.

(f) Attorney's Fees. In any dispute between the parties hereto with respect to this Agreement, or any breach or claimed breach of this Agreement, whether or not resulting in litigation, the prevailing party in such action or proceeding shall be entitled to recover from the other party all reasonable costs including, but not limited to, reasonable attorney's fees and costs, and expert witness fees and costs.

(g) Severability. If any part of this Agreement is determined to be illegal or unenforceable, all other parts shall be given effect separately and shall not be affected.

(h) Gender and Number. As used in this Agreement, the masculine, feminine, or neuter genders, and the singular or plural number, shall each include the others whenever the context so indicates.

(i) Counterpart Copies. This Agreement may be signed in counterpart or duplicate copies, and any signed counterpart, duplicate or telephonic facsimile copy shall be equivalent to a signed original for all purposes.

(j) Cross-References. All cross-references in this Agreement, unless specifically directed to another agreement or document, refer to provisions in this Agreement, and shall not be deemed to be references to any other agreements or documents.

(k) Interpretation. The parties acknowledge and agree that this Agreement is the product of draftsmanship by all sides and therefore agree that, in the event of any dispute arising concerning the interpretation of this Agreement or the terms thereof, that any ambiguities which may be found herein shall be interpreted according to the fair and reasonable meaning of the language used considering the stated intentions of the parties. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement.

(l) Governing Law. This Agreement shall be interpreted and construed in accordance with the laws of the State of California.

(m) Remedies Cumulative. The remedies of each party contained in this Agreement are cumulative and shall not exclude or diminish any other remedies to which such party may be lawfully entitled.

APPELLANT EXHIBIT C

(n) Assignment. This Agreement is personal to each of the parties hereto and neither party may assign his rights or delegate his duties hereunder without first obtaining the written consent of the other party.

(o) Successors and Assigns. Subject to any limitations on assignment of this Agreement, above, this Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties.

(p) Arbitration Of Disputes. ANY DISPUTE ARISING UNDER THE TERMS OF THIS AGREEMENT, AND ANY PROCEEDINGS TO ENFORCE THIS AGREEMENT OR RIGHTS UNDER THIS AGREEMENT, SHALL BE SUBMITTED TO ARBITRATION IN THE COUNTY OF VENTURA, CALIFORNIA, IN ACCORDANCE WITH THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION. THE ARBITRATOR(S) SHALL HAVE THE RIGHT TO DETERMINE THE SCOPE OF THEIR JURISDICTION AND GRANT EQUITABLE RELIEF. THE PREVAILING PARTY SHALL BE ENTITLED TO REASONABLE ATTORNEYS' FEES AND OTHER REASONABLE COSTS INCURRED IN CONNECTION WITH THE ARBITRATION OR ANY OTHER LITIGATION. THIS PARAGRAPH MUST BE INITIALED BELOW FOR THIS AGREEMENT TO BE BINDING.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE AFFIXED THEIR SIGNATURES BELOW ON THE DATES INDICATED BELOW THEIR SIGNATURES:

Enid Daily Trust FBO
Richard N. Daily Dated January 24, 1970

By: Richard N. Daily
Richard N. Daily, Trustee

215 E. Daily Drive, Suite 23
Camarillo, California 93010

Richard N. Daily Separate
Property Trust Dated May 25, 1995

By: Richard N. Daily
Richard N. Daily, Trustee

215 E. Daily Drive, Suite 23
Camarillo, California 93010

APPELLANT EXHIBIT C

MARK A. LUNN

Ventura County Clerk and Recorder
800 South Victoria Avenue Ventura, CA 93009-1260
(805) 654-2263 Website: recorder.countyofventura.org

FICTITIOUS BUSINESS NAME STATEMENT

Return Mailing Address
Name: Michael John Klein, Esq.
Address: 5743 Corsa Avenue #216
City: Westlake Village State: CA Zip Code: 91362

Registrar-Recorder/County Clerk's Filing Stamp

See reverse side for instructions
1. Submit original FBN with original signature(s)
2. Filing fee $53.00 for the first business and owner name plus an additional $10.00 for each additional business name and/or owner name on the same statement.
3. Mail a check or money order to the address above. Provide a self addressed stamped envelope

1A State of incorporation:

THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS: (attach additional page(s) if required)

1 Fictitious Business Name(s) (Type or Print Legibly)

(1) RND Camarillo Ranch Partnership

(2) RND VanNuys Industrial Partnership

2 215 E. Daily Drive | Camarillo | CA | 93010 | Ventura
Street Address of Principal Place of Business (P.O. Box or PMB are not acceptable) | City | State | Zip Code | COUNTY

3 Richard N. Daily, Trustee, Enid Daily Trust FBO Richard N. Daily Dated 1/24/1970
Full name of 1st Registrant (Individual)/ Corporation/Limited Liability Company

215 E. Daily Drive #23 | Camarillo | CA | 93010
Residence Address of 1st Registrant (P.O. Box or PMB are not acceptable) | City | State | Zip Code

3 Richard N. Daily, Trustee, Richard N. Daily Separate Property Trust Dated 5/25/1995
Full name of 2nd Registrant (Individual)/ Corporation/Limited Liability Company

215 E. Daily Drive #23 | Camarillo | CA | 93010
Residence Address of 2nd Registrant (P.O. Box or PMB are not acceptable) | City | State | Zip Code

3
Full name of 3rd Registrant (Individual)/ Corporation/Limited Liability Company

Residence Address of 3rd Registrant (P.O. Box or PMB are not acceptable) | City | State | Zip Code

4 THIS BUSINESS IS CONDUCTED BY: (Check one only)
( ) An individual (X) A General Partnership ( ) A Limited Partnership ( ) A Limited Liability Company ( ) A trust
( ) An unincorporated association other than a partnership ( ) A corporation ( ) Copartners ( ) Husband and Wife
( ) Joint Venture ( ) State or Local registered domestic partners ( ) A limited liability partnership

5
(X) The registrant commenced to transact business under the fictitious business name or names listed above on N/A
Insert N/A if you have not yet begun to transact business. (Enter date or N/A)

I declare that all information in this statement is true and correct.
(A registrant who declares as true information which he or she knows to be false is guilty of a crime.)

REGISTRANT'S/CORP/LLC NAME Richard N. Daily, Trustee, Richard N. Daily Separate Property Trust Dated 5/25/1995 TITLE General Partner
Print Name of Registrant Print title if Corporation/LLC/LLP/LP

REGISTRANT SIGNATURE Richard N. Daily
If corporation, also print corporate title of officer, if LLC, also print title of officer or manager

NOTICE-In accordance with subdivision (a) of Section 17920, a fictitious name statement generally expires at the end of five years from the date on which it was filed in the office of the county clerk, except as provided in subdivision of section 17920, where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in residence address or registered owner. A new fictitious business name statement must be filed before the expiration. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under Federal, State, or Common Law (see section 14411 ET SEQ., Business and Professions Code).
This statement was filed with the County Clerk of Ventura on the date indicated by the file stamp above.

CCR CLK 04 REV 03/2011

APPELLANT EXHIBIT C

Rich + Adele -

11/9/2011

This time, it turns out that the bank was correct. They found a typo on the last fictitious name statement. This statement will correct the typo. I'm sorry that I did not catch this myself. Rich - please sign where indicated and return this to me. Thanks, Ron

Recorder
CA 93009-1260
untyofventura.org

STATEMENT

Registrar-Recorder/County Clerk's Filing Stamp

1. Submit original FBN with original signature(s)
2. Filing fee $63.00 for the first business and owner name plus an additional $10.00 for each additional business name and/or owner name on the same statement.
3. Mail a check or money order to the address above. Provide a self addressed stamped envelope.

1A State of incorporation

THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS: (attach additional page(s) if required)

1* Fictitious Business Name(s) (Type or Print Legibly)

(1) RND Camarillo Ranch Partnership

(2)

2** 215 E. Daily Drive — Camarillo — CA — 93010 — Ventura
Street Address of Principal Place of Business (P.O. Box or PMB are not acceptable) — City — State — Zip Code — COUNTY

3*** Richard N. Daily, Trustee, Enid Daily Trust FBO Richard N. Daily Dated 1/24/1970
Full name of 1st Registrant (Individual/ Corporation/Limited Liability Company)

215 E. Daily Drive #23 — Camarillo — CA — 93010
Residence Address of 1st Registrant (P.O. Box or PMB are not acceptable) — City — State — Zip Code

3*** Richard N. Daily, Trustee, Richard N. Daily Separate Trust Dated 5/25/1995
Full name of 2nd Registrant (Individual/ Corporation/Limited Liability Company)

215 E. Daily Drive #23 — Camarillo — CA — 93010
Residence Address of 2nd Registrant (P.O. Box or PMB are not acceptable) — City — State — Zip Code

3***
Full name of 3rd Registrant (Individual/ Corporation/Limited Liability Company)

Residence Address of 3rd Registrant (P.O. Box or PMB are not acceptable) — City — State — Zip Code

4*** THIS BUSINESS IS CONDUCTED BY: (Check one only)

( ) An Individual	(X) A General Partnership	( ) A Limited Partnership	( ) A Limited Liability Company	( ) A trust
( ) An unincorporated association other than a partnership		( ) A corporation	( ) Copartners	( ) Husband and Wife
( ) Joint Venture	( ) State or Local registered domestic partners		( ) A limited liability partnership	

5***

I declare that all information in this statement is true and correct.
(A registrant who declares as true information which he or she knows to be false is guilty of a crime.)

REGISTRANT'S/CORPORATE NAME Richard N. Daily, Trustee, Richard N. Daily Separate Trust Dated 5/25/1995 — TITLE General Partner
Print Name — Print title if Corporation/LLC/LP

REGISTRANT SIGNATURE Richard N. Daily
If corporation, also print corporate title of officer. If LLC, also print title of officer or manager

Q* The registrant commenced to transact business under the fictitious business name or names listed above on N/A
Insert N/A if you have not yet begun to transact business. (Enter date or N/A)

NOTICE-In accordance with subdivision (a) of Section 17920, a fictitious name statement generally expires at the end of five years from the date on which it was filed in the office of the county clerk, except as provided in subdivision of section 17920, where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in residence address or registered owner. A new fictitious business name statement must be filed before the expiration. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under Federal, State, or Common Law (see section 14411 ET SEQ., Business and Professions Code).
This statement was filed with the County Clerk of Ventura on the date indicated by the file stamp above.

CCR CLK 04 REV 03/2011

APPELLANT EXHIBIT C

MARK A. LUNN

Ventura County Clerk and Recorder
800 South Victoria Avenue Ventura, CA 93009-1260
(805) 654-2263 Website: recorder.countyofventura.org

FICTITIOUS BUSINESS NAME STATEMENT

Return Mailing Address

Name: Michael John Klein, Esq.

Address: 5743 Corsa Avenue #216

City: Westlake Village State: CA Zip Code: 91362

20110825-10012425-0 1/1
Ventura County Clerk and Recorder
MARK A. LUNN
08/25/2011 11:49:41 AM
642982 $73.00 MA

See reverse side for instructions

1. Submit original FBN with original signature(s)
2. Filing fee $53.00 for the first business and owner name plus an additional $10.00 for each additional business name and/or owner name on the same statement.
3. Mail a check or money order to the address above. Provide a self addressed stamped envelope.

*1A State of Incorporation:

THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS: (attach additional page(s) if required)

1* Fictitious Business Name(s) (Type or Print Legibly)

(1) RND Camarillo Ranch Partnership

(2)

2** 215 E. Daily Drive — Camarillo — CA — 93010 — Ventura
Street Address of Principal Place of Business (P.O. Box or PMB are not acceptable) — City — State — Zip Code — COUNTY

3** Richard N. Daily, Trustee, Enid Daily Trust FBO Richard N. Daily Dated 1/27/1970
Full name of 1st Registrant (Individual) Corporation/Limited Liability Company

215 E. Daily Drive #23 — Camarillo — CA — 93010
Residence Address of 1st Registrant (P.O. Box or PMB are not acceptable) — City — State — Zip Code

3** Richard N. Daily, Trustee, Richard N. Daily Separate Trust Dated 5/25/1995
Full name of 2nd Registrant (Individual) Corporation/Limited Liability Company

215 E. Daily Drive #23 — Camarillo — CA — 93010
Residence Address of 2nd Registrant (P.O. Box or PMB are not acceptable) — City — State — Zip Code

3** Richard and Noel Daily, Trustees, Daily Family Trust Dated 5/25/1995
Full name of 3rd Registrant (Individual) Corporation/Limited Liability Company

215 E. Daily Drive #23 — Camarillo — CA — 93010
Residence Address of 3rd Registrant (P.O. Box or PMB are not acceptable) — City — State — Zip Code

4** THIS BUSINESS IS CONDUCTED BY: (Check one only)

( ) An Individual (X) A General Partnership ( ) A Limited Partnership ( ) A Limited Liability Company ( ) A trust
( ) An unincorporated association other than a partnership ( ) A corporation ( ) Copartners ( ) Husband and Wife
( ) Joint Venture ( ) State or Local registered domestic partners ( ) A limited liability partnership

5** (X) The registrant commenced to transact business under the fictitious business name or names listed above on N/A
Insert N/A if you have not yet begun to transact business. (Enter date or N/A)

I declare that all information in this statement is true and correct.
(A registrant who declares as true information which he or she knows to be false is guilty of a crime.)

REGISTRANT'S CORP/LLC NAME Richard N. Daily, Trustee, Richard N. Daily Separate Trust Dated 5/25/1995 TITLE General Partner
Print Name of Registrant Print title if Corporation/LLC/LLP

REGISTRANT SIGNATURE Richard N. Daily
If corporation, also print corporate title of officer. If LLC, also print title of officer or manager

NOTICE-In accordance with subdivision (a) of Section 17920, a fictitious name statement generally expires at the end of five years from the date on which it was filed in the office of the county clerk, except as provided in subdivision of section 17920, where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in residence address or registered owner. A new fictitious business name statement must be filed before the expiration. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under Federal, State, or Common Law (see section 14411 ET SEQ., Business and Professions Code).

This statement was filed with the County Clerk of Ventura on the date indicated by the file stamp above.

CCR CLK 04 REV 03/2011

APPELLANT EXHIBIT C

CITY NATIONAL BANK
The way up.

COPY

BUSINESS ACCOUNT AGREEMENT

GENERAL ACCOUNT INFORMATION

Account Holder(s) ("Client")/dba: RND CAMARILLO RANCH PARTNERSHIP, A CA GENERAL PARTNERSHIP

Type of Account: Business Checking Account Number: 041947179

Mailing Address: 215 E DAILY DR STE 23 CAMARILLO, CA 93010

Telephone: (BX805) 484-1511 E-Mail/Fax:

MINIMUM NUMBER OF SIGNATURES REQUIRED FOR AUTHORIZED WITHDRAWAL: 1

Signature Message Code: NONE

Taxpayer Information

BY SIGNING THE "AGREEMENT BY CLIENT" BELOW, I/WE DECLARE UNDER PENALTY OF PERJURY THAT THE CORRECT TAXPAYER IDENTIFICATION NUMBER OF THE ACCOUNT HOLDER TO BE USED FOR TAX REPORTING PURPOSES IS: 45-3578852

THE ACCOUNT HOLDER IS NOT SUBJECT TO BACKUP WITHHOLDING BECAUSE OF UNDERREPORTING OF INTEREST OR DIVIDENDS AND IS A U.S. PERSON (INCLUDING A U.S. RESIDENT ALIEN), UNLESS CHECKED HERE:

☐ The account holder is subject to backup withholding and has not been notified by the Internal Revenue Service that backup withholding has been terminated.

NON-RESIDENT ALIENS AND FOREIGN ENTITIES (Check here only if applicable):

☐ The account holder is exempt from backup withholding and information reporting. An appropriate IRS Form W-8, foreign status certificate, has been completed.

Government Regulation may require that CNB report interest income information.

CERTIFICATION OF AUTHORITY

By signing the "Agreement by Client" below, each signer declares under penalty of perjury under the laws of the state where signed that the following is true and correct: (1) The signer holds the title, office, or position indicated and is authorized by the Client to make this declaration and sign the Agreement on behalf of the Client; (2) if the Client is (a) a sole proprietorship, the signer is the sole proprietor; (b) a partnership, the signer is a general partner, or a managing partner; (c) a limited liability company, the signer is the Manager or Member designated to act on behalf of the Client or the signers are all of the Managers or Member so designated; (3) The signer is authorized to enter into deposit, fund transfer, brokerage, investment and treasury management agreement and deposit service agreement(s) on behalf of Client and to designate person(s) authorized to (a) act on behalf of Client and (b) designated persons as "Authorized Signers" on any accounts of Client established hereunder; and (4) When signed below no other person's signature or authorization is required to make the Agreement by Client binding and enforceable on the Client. (5) This authorization is in addition to all other authorizations now in existence.

APPELLANT EXHIBIT C

Account Title :

RND CAMARILLO RANCH PARTNERSHIP, A CA GENERAL PARTNERSHIP

Account Number

041947179

AGREEMENT BY CLIENT

On behalf of the named Client, by signing below I/we acknowledge receipt of the Account Agreement and Disclosures and applicable disclosures and fee schedule(s) containing the terms, conditions and fees governing the account(s), products and services designated above and any accounts designated under "Additional Accounts" below and any products and services later contracted for, as amended by disclosures and fee schedule(s) provided at the time of contracting. I/We agree that these terms, conditions and fees govern each account established with City National Bank ("CNB") or City National Securities, Inc. ("CNS") and each service now or later contracted for, as amended by later disclosures. I/We agree that CNB or CNS may provide additional terms, conditions and fees from time to time, depending upon the products and services selected by me/us and that CNB or CNS may amend or change these terms, conditions and fees from time to time on any required notice. If any terms, conditions, fees and any changes thereto are not acceptable to me/us, I/we will close the account(s) or discontinue the service. Where applicable, my/our continued use of the products and/or services after receipt of the terms, conditions, fees and amendments constitute my/our acceptance of such terms, conditions, fees and amendments thereto. I/We agree that the Authorized Signer(s) may withdraw funds and initiate and confirm payment orders pursuant to the security procedure selected respecting the account(s) and each Authorized Signer may establish additional accounts with CNB or CNS in the same name(s) and subject to the same signing authority stated above, contract for additional services for the account(s), and otherwise give instruction to CNB or CNS. If I/We indicated we would like information about the products and services of CNS, you are authorized to share information about me/us between CBS and CNS.

FURTHER AGREEMENT FOR TREASURY MANAGEMENT

Capitalized terms used in this Authorization and Agreement, not otherwise defined, have the meanings given to them in the City National Bank Treasury Management Services Disclosure and Agreement (the "Agreement").

By signing below, the undersigned, on behalf of the Business Organization named below (the "Client"), acknowledges receipt of the Agreement and agrees to adhere to the terms and conditions contained in the Agreement, any applicable User Documentation, setup forms, related documents, and any other disclosures provided to the Client with regard to the provision of one or more City National Bank Treasury Management Services.

The Agreement supersedes other treasury management service agreements between the Client and CNB. For certain Treasury Management Services, the Agreement authorizes on page 5 the Client's System Administrator to assign passwords, user names, and Personal Identification Numbers to persons that will enable the persons to conduct transactions on deposit accounts set up on the Treasury Management Service, notwithstanding the signing authority identified in the deposit agreement. The System Administrator may also designate one or more other persons to perform these same functions the System Administrator is authorized to perform (each such person being called a "User Administrator"). THE AGREEMENT ALSO PROVIDES FOR BINDING ARBITRATION OF DISPUTES.

The Client may from time to time request CNB to provide one or more of the Services described in the Agreement. Subject to CNB's approval, the Client may begin to use any Service requested once CNB has received all required forms properly completed and the Client has successfully fulfilled any applicable user requirements, including but not limited to testing and training.

Further, the undersigned represents and warrants that the Client has taken all actions required to authorize the undersigned on behalf of the Client to execute and deliver this Authorization and Agreement and any other documents CNB may require with respect to a Service and that, when signed by the undersigned, this Authorization and Agreement is the valid and binding act of the Client.

I/We certify to CNB and CNS that all the information on this Agreement is true and correct. I/We authorize CNB to obtain a ChexSystem or other similar report on Client and to report information. I/We authorize CNB to obtain a ChexSystem or other similar consumer report on each of us signing below and to report information. If I ask, CNB will tell me whether a consumer report was ordered and, if one was ordered, the name and address of the consumer reporting agency that furnished it.

The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid back up withholding.

SIGN IN BLACK INK ONLY AND ON THE SIGNATURE LINE BELOW

Signature: Richard N. Daily

Name/Title: Enid Daily Trust FBO Richard N. Daily, Richard N. Daily Trustee

Date: 11/1/11 Place of Signing: Camarillo, Ca

(City and State)

SIGN IN BLACK INK ONLY AND ON THE SIGNATURE LINE BELOW

Signature: Richard N. Daily

Name/Title: Richard N. Daily Trustee, Richard N. Daily Separate Trust Dated 5/25/1995

Date: 11/1/11 Place of Signing: Camarillo, Ca

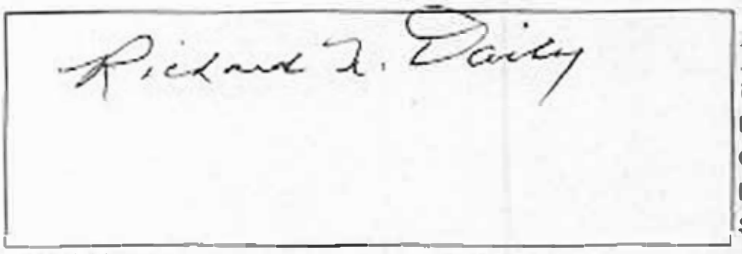
(City and State)

AUTHORIZED SIGNERS (SIGN IN BLACK INK ONLY AND SIGN IN BOX BELOW)

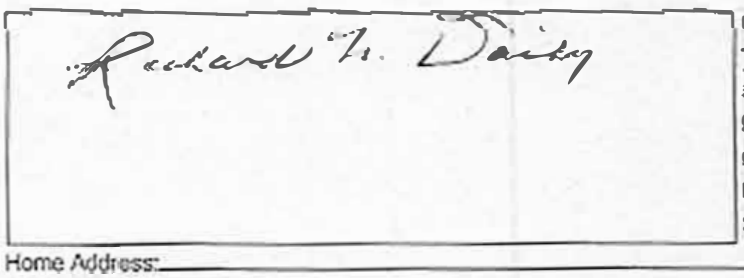
APPELLANT EXHIBIT C

Account Title :
RND CAMARILLO RANCH PARTNERSHIP, A CA GENERAL PARTNERSHIP

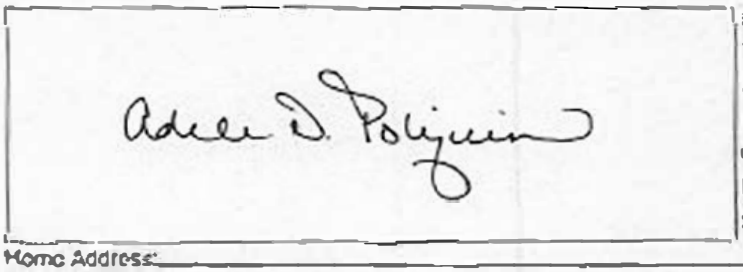
Account Number:
04|947179



Name: ENID DAILY TR FBO RICHARD N DAILY Richard Daily Trustee
Title: General Partner
Mother's Maiden Name:
DoB & Birthplace:
Occ/SS#: INFORMATION ON FILE
Home & Business Phone:
Signature Message:
Home Address:
Primary ID:
Employer Name / Address:



Name: RICHARD N DAILY Trustee, Richard N. Daily Separate Trust dd 5/25/1995
Title: General Partner
Mother's Maiden Name:
DoB & Birthplace:
Occ/SS#: INFORMATION ON FILE
Home & Business Phone:
Signature Message:
Home Address:
Primary ID:
Employer Name / Address:



Name: ADELE DAILY POLIQUIN
Title: Authorized Signer
Mother's Maiden Name:
DoB & Birthplace:
Occ/SS#: INFORMATION ON FILE
Home & Business Phone:
Signature Message:
Home Address:
Primary ID:
Employer Name / Address:

Account Title :

RMD CAMARILLO RANCH PARTNERSHIP, A CA GENERAL PARTNERSHIP

Account Number

041947179

APPELLANT EXHIBIT C

BANK USE ONLY

Today's Date / Time 11/1/2011 10:11 AM	Opened By Karen Martinez	Opening Deposit $0.00 CNB Transfer
Supersedes Card Dated	Superseded By	
Officer(s): 04118, 04112		Is the entity doing business in the state the account is opened? Yes or No. Yes
Original Opening Date	Reviewed By	
Date Closed	Reason Closed	Type of Business/NAICS Code REAL ESTATE COMMERCIAL RENTING

ADDITIONAL ACCOUNTS

Client authorizes the following additional accounts:

ACCOUNT INFORMATION		OPENED		REVIEWED BY	DATE CLOSED	CLOSING REASON
TYPE	ACCOUNT NO.	DATE	BY			

APPELLANT EXHIBIT C

MARK A. LUNN

Ventura County Clerk and Recorder
800 South Victoria Avenue Ventura, CA 93009-1260
(805) 654-2263 Website: recorder.countyofventura.org

FICTITIOUS BUSINESS NAME STATEMENT

Return Mailing Address

Name: Michael John Klein, Esq.

Address: 5743 Corsa Avenue #216

City: Westlake Village State: CA Zip Code: 91362

20111028-10015568-0 1/1
Ventura County Clerk and Recorder
MARK A. LUNN
10/28/2011 12:11:11 PM
#60393 $53.00 BR

See reverse side for instructions

1. Submit original FBN with original signature(s)
2. Filing fee $53.00 for the first business and owner name plus an additional $10.00 for each additional business name and/or owner name on the same statement.
3. Mail a check or money order to the address above. Provide a self addressed stamped envelope.

1A State of incorporation:

THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS: (attach additional page(s) if required)

1* Fictitious Business Name(s) (Type or Print Legibly)

(1) RND Camarillo Ranch Partnership

(2)

2** 215 E. Daily Drive | Camarillo | CA | 93010 | Ventura
Street Address of Principal Place of Business (P.O. Box or PMB are not acceptable) | City | State | Zip Code | COUNTY

3* Richard N. Daily, Trustee, Enid Daily Trust FBO Richard N. Daily Dated 1/24/1970
Full name of 1st Registrant (Individual)/ Corporation/Limited Liability Company

215 E. Daily Drive #23 | Camarillo | CA | 93010
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3** Richard N. Daily, Trustee, Richard N. Daily Separate Trust Dated 5/25/1995
Full name of 2nd Registrant (Individual)/ Corporation/Limited Liability Company

215 E. Daily Drive #23 | Camarillo | CA | 93010
Residence Address of 2nd Registrant (P.O. Box or PMB are not acceptable) | City | State | Zip Code

3*** Full name of 3rd Registrant (Individual)/ Corporation/Limited Liability Company

Residence Address of 3rd Registrant (P.O. Box or PMB are not acceptable) | City | State | Zip Code

4**** THIS BUSINESS IS CONDUCTED BY: (Check one only)

( ) An Individual (X) A General Partnership ( ) A Limited Partnership ( ) A Limited Liability Company ( ) A trust
( ) An unincorporated association other than a partnership ( ) A corporation ( ) Copartners ( ) Husband and Wife
( ) Joint Venture ( ) State or Local registered domestic partner ( ) A limited liability partnership

5***** The registrant commenced to transact business under the fictitious business name or names listed above on N/A
Insert N/A if you have not yet begun to transact business. (Enter date or N/A)

I declare that all information in this statement is true and correct
(A registrant who declares as true information which he or she knows to be false is guilty of a crime.)

REGISTRANT/CORP/LLC NAME Richard N. Daily, Trustee, Richard N. Daily Separate Trust Dated 5/25/1995 (Print exact name of registrant) TITLE General Partner (Print title if Corporation/LLC/LLP)

REGISTRANT SIGNATURE Richard N. Daily

If corporation, also print corporate title of officer, if LLC, also print title of officer or manager

NOTICE-In accordance with subdivision (a) of Section 17920, a fictitious name statement generally expires at the end of five years from the date on which it was filed in the office of the county clerk, except as provided in subdivision (b) of section 17920, where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in residence address of registered owner. A new fictitious business name statement must be filed before the expiration. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under Federal, State, or Common Law (see section 14411 ET SEQ., Business and Professions Code).

This statement was filed with the County Clerk of Ventura on the date indicated by the file stamp above.

CCR CLK 06 REV 03/2011

APPELLANT EXHIBIT C

IRS.gov

EIN Assistant

Your Progress: 1. Identity 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

Congratulations! The EIN has been successfully assigned.

EIN Assigned: 45-3678852

Legal Name: RND CAMARILLO RANCH PARTNERSHIP

The confirmation letter will be mailed to the applicant. This letter will be the applicant's official IRS notice and will contain important information regarding the EIN. Allow up to 4 weeks for the letter to arrive by mail.

We strongly recommend you print this page for your records.

Click "Continue" to get additional information about using the new EIN. Continue >>

Help Topics

- Can the EIN be used before the confirmation letter is received?

APPELLANT EXHIBIT C

IRS.gov

EIN Assistant

Your Progress: 1. Identity 2. Authenticate 3. Addressees 4. Details 5. EIN Confirmation

Summary of your information

Please review the information you are about to submit. If any of the information below is incorrect, you will need to start a new application.

Click the "Submit" button at the bottom of the page to receive your EIN.

Organization Type: Joint Venture

Joint Venture Information

Legal name:	RND CAMARILLO RANCH PARTNERSHIP
County:	VENTURA
State/Territory:	CA
Start date:	AUGUST 2011
Closing month of accounting year:	DECEMBER

Addresses

Physical Location:	215 E DAILY DR STE 23 CAMARILLO CA 93010
Phone Number:	805-482-5661
TPD Name:	MICHAEL JOHN KLEIN
TPD Address:	5743 CORSA AVE STE 216 WESTLAKE VLG CA 91362
TPD Phone Number:	818-707-0433

Responsible Party

Name:	RICHARD N DAILY GEN PTR
SSN/ITN:	XXX-XX-3473

Principal Business Activity

What your business/organization does:	REAL ESTATE
Principal products/services:	REAL ESTATE COMMERCIAL RENTING

Additional Joint Venture Information

Owns a 55,000 pounds or greater highway motor vehicle:	NO
Involves gambling/wagering:	NO
Involves alcohol, tobacco or firearms:	NO
Files Form 720 (Quarterly Federal Excise Tax Return):	NO
Has employees who receive Forms W-2:	NO
Reason for applying:	STARTED A NEW BUSINESS

APPELLANT EXHIBIT C

IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 10-31-2011

004145.132489.0012.001 1 MB 0.390 532

Employer Identification Number:
45-3678852

Form: SS-4

Number of this notice: CP 575 B

RND CAMARILLO RANCH PARTNERSHIP
RICHARD N DAILY GEN PTR
215 E DAILY DR STE 23
CAMARILLO CA 93010

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB OF THIS NOTICE.

004145

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 45-3678852. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1065 04/15/2012

If you have questions about the form(s) or the due dates(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, Accounting Periods and Methods.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, Entity Classification Election. See Form 8832 and its instructions for additional information.

APPELLANT EXHIBIT C

(IRS USE ONLY) 575B 10-31-2011 RNDC B 0509905009 SS-4

004145

Keep this part for your records. CP 575 B (Rev. 7-2010)

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 B

0509905009

Your Telephone Number ( ) -

Best Time to Call

DATE OF THIS NOTICE: 10-31-2011
EMPLOYER IDENTIFICATION NUMBER: 45-3678852
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

RND CAMARILLO RANCH PARTNERSHIP
RICHARD N DAILY GEN PTR
215 E DAILY DR STE 23
CAMARILLO CA 93010

APPELLANT EXHIBIT D

EMERGENCY ORDINANCE – E

AN EMERGENCY ORDINANCE LIMITING EXTRACTIONS FROM GROUNDWATER EXTRACTION FACILITIES, SUSPENDING USE OF CREDITS AND PROHIBITING CONSTRUCTION OF ANY GROUNDWATER EXTRACTION FACILITY AND/OR THE ISSUANCE OF ANY PERMIT THEREFOR

The Board of Directors of the Fox Canyon Groundwater Management Agency, State of California, ordains as follows:

ARTICLE 1. Findings

The Board of Directors hereby finds that:

A. On January 17, 2014, the Governor of the State of California proclaimed a state of emergency due to current drought conditions and called on Californians to reduce their water usage by 20 percent. On March 1, 2014, the Governor signed into law emergency drought legislation that finds and declares that California is experiencing an unprecedented dry period and shortage of water for its citizens, local governments, agriculture, environment, and other uses.

B. The U.S. Drought Monitor has designated the territory of the Agency to be currently in a condition of exceptional drought.

C. The United Water Conservation District has reported that groundwater storage in the Oxnard Plain Basin Forebay dropped by 32,200 acre feet in the past year and groundwater levels are currently below sea level. Continued dry conditions and regulatory restrictions on diversions from the Vern Freeman Diversion will result in less water available for recharge of the Forebay.

D. On February 25, 2009, the Fox Canyon Groundwater Management Agency Board of Directors in response to a serious water resource problem constituting a very real and immediate threat to groundwater quality and quantity to the West, East, and South Las Posas Basins and any and all basins tributary thereto adopted Emergency Ordinance D, entitled An Emergency Ordinance to Impose a Temporary Moratorium on Construction of New Wells and to Provide an Upper Limitation to Efficiency Extraction Allocation Within the West, East, and South Las Posas Groundwater Basins Pending Development of a Basin-Specific Management Plan.

E. Emergency Ordinance D was replaced by Ordinance 8.6 which presumed the development of a Basin-Specific Management Plan. However, the threats to groundwater quality and quantity in the Las Posas Basins remain and have increased due to persistent drought conditions, and the lack of a Basin-Specific Management Plan.

F. The Agency's 2007 Update to its Groundwater Management Plan established basin yield at 100,000 acre-feet per year; however, average annual total extractions within the Agency for Calendar Years 2003 through 2012 were 124,586 acre-feet.

G. Due to persistent dry conditions, the Department of Water Resources on January 31, 2014, announced a 2014 State Water Project Allocation of zero percent.

H. The cumulative use of conservation credits has reduced the benefit of previous reductions in historical allocations, and could limit any benefit derived through this Emergency Ordinance.

I. The Board may adopt ordinances for the purpose of regulating, conserving, managing, and controlling the use and extraction of groundwater within the territory of the Agency.

J. The measures adopted in this emergency ordinance are necessary in order to improve and protect the quantity and quality of groundwater supplies within the territory of the Agency, to prevent a worsening of existing conditions, to allow time to implement a definite and long-term solution to improve groundwater conditions in the Agency and to bring groundwater extractions into balance with recharge.

K. This emergency ordinance is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Sections 15307 and 15308 as an action taken "to ensure the maintenance, restoration, or enhancement of natural resources or the environment."

ARTICLE 2. Reduction of Groundwater Extractions

A. For the duration of this emergency ordinance, all Municipal and Industrial Operators' extraction allocations, regardless of type, shall be replaced with a Temporary Extraction Allocation (TEA) based on an operator's average annual reported extractions, not including any extractions that incurred surcharges, for Calendar Years 2003 through 2012.

B. For the Port Hueneme Water Agency (PHWA), their TEA shall be established according to the Agency's approved July 24, 1996 agreement and allocations contained within.

C. Temporary Extraction Allocations (TEA) shall be reduced in order to eliminate overdraft from the aquifer systems within the boundaries of the Agency for municipal and industrial uses. The reductions shall be as follows:

1. Beginning July 1, 2014	10% (TEA x 0.90/2)
2. Beginning January 1, 2015	15% (TEA x 0.85/2)
3. Beginning July 1, 2015	20% (TEA x 0.80/2)
4. Beginning January 1, 2016	20% (TEA x 0.80)

D. For reported extractions starting on August 1, 2014, all Agricultural Operators' extraction allocations, regardless of type, shall be replaced with an Annual Efficiency Allocation as provided in Section 5.6.1.2. of the Agency Ordinance Code, except that the annual irrigation allowances used to calculate the Irrigation Allowance Index shall be adjusted downward 25% from the allowances set forth in Resolution No. 2011-04 (Exhibit No. 1). For computing the irrigation allowance, the definition of Planted Acre may include designated areas that grew irrigated crops in the twelve months prior to August 1, 2014, but have subsequently been fallowed or are growing a non-irrigated crop.

E. On February 1, 2015, the Board may by Resolution undertake an additional adjustment to the annual irrigation allowances used to calculate the Irrigation Allowance Index, or other pumping restrictions in order to achieve a cumulative 10% reduction in pumping by Agricultural Operators.

F. On August 1, 2015, the Board may by Resolution undertake an additional adjustment to the annual irrigation allowances used to calculate the Irrigation Allowance Index, or other pumping restrictions in order to achieve a cumulative 20% reduction in pumping by Agricultural Operators.

G. Notwithstanding the extraction allocations established pursuant to Chapter 5.0 of the Agency Ordinance Code, all extractions in excess of the allocations established and adjusted by this emergency ordinance shall be subject to extraction surcharges.

H. The Executive Officer may, on written request from a land owner or operator, grant a variance from the requirements of this article based on a showing:

1. That there are special circumstances or exceptional characteristics of the owner or operator which do not apply generally to comparable owners or operators in the same vicinity; or
2. That strict application of the reductions as they apply to the owner or operator will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of this emergency ordinance; or
3. That the granting of such variance will result in no net detriment to the aquifer systems.

ARTICLE 3. Limitation on Accrual and Use of Credits

Notwithstanding Section 5.7 of the Agency Ordinance Code, conservation credits shall not be obtained and may not be used to avoid paying surcharges for extractions while this emergency ordinance is in effect.

APPELLANT EXHIBIT D

ARTICLE 4. Prohibition on New Extraction Facilities

The Board prohibits the issuance of any permit for construction of a groundwater extraction facility, other than a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater, within the territory of the Agency. The prohibition set forth shall not apply to any permit for which a completed application is on file with the Agency on or before February 26, 2014, or for any permit in furtherance of a pumping program approved by the Board. For the purpose of this Article 4, a new or increased use is one that did not exist or occur before the effective date of this emergency ordinance. The Board may grant exceptions to the prohibition set forth in this Article 4 on a case-by-case basis. Applications for exceptions shall conform to the requirements of Section 5.2.2.3. of the Agency Ordinance Code and will be approved only if the Board makes the findings set forth in Section 5.2.2.4. of the Agency Ordinance Code.

ARTICLE 5. Duration

This emergency ordinance shall remain in effect from the date of adoption and reviewed every eighteen months, unless superseded or rescinded by action of the Board or a finding by the Board that the drought or emergency condition no longer exists.

ARTICLE 6. Effective Date

This ordinance shall become effective immediately upon adoption by the vote of at least four members of the Board; otherwise it shall become effective on the thirty-first day after adoption.

PASSED AND ADOPTED this 11th day of April 2014 by the following vote:

AYES: 5
NOES: 0
ABSENT: 0

By: _____
Lynn Maulhardt, Chair, Board of Directors
Fox Canyon Groundwater Management Agency

ATTEST: I hereby certify that the above is a true and correct copy of Emergency Ordinance E.

By: _____
Jessica Kam, Clerk of the Board

Exhibit No. 1 – Current Irrigation Allowance Index and - Proposed Allowance Index Values (Adjusted 25%)

APPELLANT EXHIBIT D

CURRENT Irrigation Allowance Index Values

Acre-Feet/Acre

Includes leaching and DU = 0.8	# of Crops	Oxnard (Z1)			Camarillo (Z2)			Santa Paula (Z3)		
		Typical	Dry	Wet	Typical	Dry	Wet	Typical	Dry	Wet
		Total AF/A	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*
Spring Veg./Fall Celery	2	3.6	3.8	3.3	4.0	4.2	3.7	4.3	4.6	4.0
Summer Veg./Fall Veg	2	3.4	3.6	3.2	3.8	4.0	3.6	4.1	4.3	3.9
Spring Veg./Late Summer Veg./+part Late Fall Veg*	**2+plus**	3.9	4.1	3.7	4.4	4.6	4.2	4.8	5.0	4.6

		Oxnard (Z1)			Camarillo (Z2)			Santa Paula (Z3)		
		Typical	Dry	Wet	Typical	Dry	Wet	Typical	Dry	Wet
Crop		*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*
Avocado - 20% Ground Shading	**1**	1.9	2.0	1.7	2.1	2.3	1.9	2.3	2.5	2.1
Avocado - 50% Ground Shading	**1**	2.7	3.0	2.5	3.1	3.4	2.8	3.3	3.7	3.0
Avocado - 70% Ground Shading	**1**	3.7	4.1	3.5	4.1	4.6	4.0	4.5	5.1	4.3
Blueberries 20% Ground Shading	**1**	1.8	1.9	1.8	2.1	2.3	2.0	2.3	2.5	2.2
Blueberries 50% Ground Shading	**1**	2.6	2.7	2.6	3.0	3.1	2.9	3.3	3.4	3.2
Blueberries 70% Ground Shading	**1**	3.6	3.8	3.5	4.1	4.3	3.9	4.5	4.7	4.3
Celery - Single Crop	**1**	2.0	2.1	1.8	2.2	2.3	2.0	2.4	2.5	2.2
Citrus - 20% Ground Shading	**1**	1.9	2.1	1.8	2.1	2.4	2.0	2.3	2.6	2.2
Citrus - 50% Ground Shading	**1**	2.5	2.7	2.4	2.9	3.0	2.7	3.1	3.3	2.9
Citrus - 70% Ground Shading	**1**	3.4	3.6	3.2	3.9	4.0	3.6	4.3	4.4	3.9
Lima Beans	**1**	1.0	1.1	1.0	1.2	1.2	1.2	1.3	1.3	1.3
Misc. Veg Greenhouse - Fall	**1**	1.2	1.3	1.1	1.3	1.4	1.2	1.4	1.5	1.3
Misc. Veg Greenhouse - Spr	**1**	1.3	1.4	1.2	1.5	1.6	1.4	1.6	1.7	1.6
Misc. Veg Greenhouse - Summer	**1**	1.6	1.6	1.6	1.8	1.8	1.8	1.9	1.9	1.9
Misc. Veg Single Crop - Fall	**1**	1.4	1.5	1.3	1.5	1.7	1.4	1.6	1.8	1.5
Misc. Veg Single Crop - Spr	**1**	1.6	1.7	1.5	1.8	1.9	1.7	1.9	2.1	1.8
Misc. Veg Single Crop - Summer	**1**	2.0	2.0	1.9	2.2	2.3	2.2	2.5	2.5	2.4
Nursery (Non-Greenhouse)	**1**	4.3	4.5	4.1	4.9	5.1	4.6	5.3	5.6	5.1
Nursery (Greenhouse)	**1**	4.5	4.6	4.3	5.1	5.2	4.9	5.6	5.7	5.4
Raspberries - Tunnel	**1**	4.3	4.5	4.2	4.9	5.1	4.7	5.4	5.5	5.2
Sod	**1**	4.0	4.2	3.9	4.5	4.8	4.4	5.0	5.2	4.8
Strawberries-Main Season	**1**	3.1	3.3	2.9	3.4	3.6	3.2	3.7	3.9	3.4
Strawberries-Summer	**1**	1.8	1.9	1.8	2.0	2.1	1.9	2.1	2.2	2.0
Tomatoes - Peppers	**1**	2.3	2.3	2.2	2.6	2.6	2.5	2.8	2.8	2.7

APPELLANT EXHIBIT D

Proposed Irrigation Allowance Index Values (Adjusted 25%)

Acre-Feet/Acre

Includes leaching and DU = 0.8	# of Crops	Oxnard (Z1)			Camarillo (Z2)			Santa Paula (Z3)		
		Typical	Dry	Wet	Typical	Dry	Wet	Typical	Dry	Wet
		Total AF/A	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*
Spring Veg./Fall Celery	2	2.7	2.8	2.5	3.0	3.2	2.8	3.3	3.4	3.0
Summer Veg./Fall Veg	2	2.5	2.7	2.4	2.8	3.0	2.7	3.0	3.2	2.9
Spring Veg./Late Summer Veg./+part Late Fall Veg*	**2+plus**	2.9	3.1	2.8	3.3	3.5	3.1	3.6	3.8	3.4

		Oxnard (Z1)			Camarillo (Z2)			Santa Paula (Z3)		
		Typical	Dry	Wet	Typical	Dry	Wet	Typical	Dry	Wet
Crop		*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*	*Total AF/A*
Avocado - 20% Ground Shading	**1**	1.4	1.5	1.3	1.6	1.7	1.5	1.7	1.9	1.6
Avocado - 50% Ground Shading	**1**	2.0	2.2	1.9	2.3	2.5	2.1	2.5	2.8	2.3
Avocado - 70% Ground Shading	**1**	2.7	3.1	2.6	3.1	3.5	3.0	3.4	3.8	3.2
Blueberries 20% Ground Shading	**1**	1.4	1.4	1.3	1.5	1.8	1.5	1.8	1.9	1.7
Blueberries 50% Ground Shading	**1**	2.0	2.1	1.9	2.2	2.3	2.2	2.4	2.5	2.4
Blueberries 70% Ground Shading	**1**	2.7	2.9	2.6	3.1	3.3	3.0	3.4	3.6	3.2
Celery - Single Crop	**1**	1.5	1.6	1.4	1.7	1.8	1.5	1.8	1.9	1.6
Citrus - 20% Ground Shading	**1**	1.4	1.6	1.3	1.6	1.8	1.5	1.8	1.9	1.6
Citrus - 50% Ground Shading	**1**	1.9	2.0	1.8	2.2	2.3	2.0	2.4	2.5	2.2
Citrus - 70% Ground Shading	**1**	2.6	2.7	2.4	2.9	3.0	2.7	3.2	3.3	2.9
Lima Beans	**1**	0.8	0.8	0.8	0.9	0.9	0.9	1.0	1.0	0.9
Misc. Veg Greenhouse - Fall	**1**	0.9	0.9	0.8	1.0	1.0	0.9	1.0	1.1	1.0
Misc. Veg Greenhouse - Spr	**1**	1.0	1.1	0.9	1.1	1.2	1.1	1.2	1.3	1.2
Misc. Veg Greenhouse - Summer	**1**	1.2	1.2	1.2	1.3	1.3	1.3	1.4	1.4	1.4
Misc. Veg Single Crop - Fall	**1**	1.0	1.1	1.0	1.1	1.2	1.0	1.2	1.3	1.1
Misc. Veg Single Crop - Spr	**1**	1.2	1.3	1.1	1.3	1.4	1.2	1.5	1.6	1.4
Misc. Veg Single Crop - Summer	**1**	1.5	1.5	1.5	1.7	1.7	1.6	1.8	1.9	1.8
Nursery (Non-Greenhouse)	**1**	3.2	3.4	3.1	3.6	3.8	3.5	4.0	4.2	3.8
Nursery (Greenhouse)	**1**	3.4	3.5	3.3	3.8	3.9	3.7	4.2	4.3	4.0
Raspberries - Tunnel	**1**	3.2	3.4	3.1	3.7	3.8	3.6	4.0	4.2	3.9
Sod	**1**	3.0	3.2	2.9	3.4	3.6	3.3	3.7	3.9	3.6
Strawberries-Main Season	**1**	2.3	2.5	2.2	2.6	2.7	2.4	2.8	2.9	2.6
Strawberries-Summer	**1**	1.4	1.4	1.3	1.5	1.6	1.4	1.6	1.7	1.5
Tomatoes - Peppers	**1**	1.7	1.7	1.6	1.9	1.9	1.8	2.1	2.1	2.0

APPELLANT EXHIBIT E

FCGMA No. 0272

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A state of California water agency
800 S. Victoria Avenue, Ventura, CA. 93009-1610
Phone (805) 645-1372 or 654-2014 Fax 654-3350
Websites: http://fcgma.org or https://fcgmaonline.org

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WATER WELL PERMIT APPLICATION

(NO-FEE REQUIRED)

GENERAL INFORMATION

Fox Canyon Groundwater Management Agency (FCGMA) Ordinance Code requires that before drilling a new water well within the boundaries of the FCGMA, a completed water well permit application must be submitted. **THIS IS A *NO-FEE* PERMIT.** In addition, a ***FEE-BASED*** Ventura County Watershed Protection District Water Well Permit must be approved and secured ***prior*** to any construction.

All groundwater extraction facilities within the boundaries of the Agency shall be registered with the Agency. All new extraction facilities constructed within the Agency Boundary shall obtain a no-fee permit from the Agency prior to the issuance of a Well Permit by the Ventura County Watershed Protection District. No extraction facility may be operated or otherwise utilized so as to extract groundwater within the boundaries of the Agency, or in the Expansion Area unless that facility is registered with the Agency, metered and permitted, if required and all extractions reported to the Agency as required.

Copies of the current FCGMA Ordinance Code and other pertinent information regarding the FCGMA can be obtained by calling *(805) 645-1372* or *(805) 654-2014* or by visiting our website at ***http://fcgma.org***.

INSTRUCTIONS

(Fill in the requested information and provide an Assessor's Parcel Map as described under Item D.)

A. OWNERSHIP

Owner's Name: RND Camarillo Ranch Partnership

Operator's Name (if different from Owner):

Mailing Address: 882 Rim Crest Drive, Westlake Village, CA 91361

Phone No(s): (805) 642-0211 FAX No: (805) 642-1220 Cell No. Adele D. Poliquin: (818) 577-5354

B. TYPE OF USE

If use of water is for irrigation, check box 1 and describe proposed crops and acreage. If water is for municipal, industrial of domestic uses, check box 2 and describe number of people served, etc.

1. [X] **Irrigation** — PROPOSED REPLACEMENT WELL

List types of crops and corresponding acreage that will be irrigated:

Crop Type	Acreage
Row Crops	275

Describe irrigation system: list size and approximate length of pipelines and type of irrigation system, i.e., sprinkler, drip, furrow, etc.:

Drip & Sprinkler; 800 ft rows

Emergency replacement of well for ag. production. No storage tanks.

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FCGMA No. 6272

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2. ☐ **Municipal, Industrial or Domestic**
List number of people and/or number of housing units served. If industrial use is proposed, describe type of industrial use: _____

Describe water system: list size and length of pipelines, size of storage tanks, etc.: _____

C. PROPOSED EXTRACTION

Show calculations for anticipated annual pumping in acre-feet per year (AF/yr): 1 x Replacement Well for the Existing SWN 01N21W03H02S -- drilled in 2002, 16" steel casing to 905 ft bgs, history of sand production

Historical Allocation: 517.58 acre-ft

[See attached map for irrigation allowance index calculations]

D. LOCATION OF PROPOSED USE

On a County Assessor's Parcel Map accurately plot and outline the location(s) of proposed groundwater use. Show location of proposed water well. Give dimensions of area(s) to be irrigated. Indicate crop type for each area. For M & I or other uses, show location of water distribution system, type of water use and location of structures to be served. Attach the Assessor's Parcel Map to this application. ***(No permit applications will be approved without an adequate attached parcel map.)***

E. APPLICANT'S SIGNATURE AND DATE

Sign, date and submit this application to the Fox Canyon Groundwater Management Agency, c/o Watershed Protection District, Water and Environmental Resources Division, Groundwater Section, 800 South Victoria Avenue, L #1610, Ventura, CA 93009-1610.

Applicant's Signature: _____ Date 7-13-18

DISPOSITION OF FCGMA APPLICATION

(For office use only)

☐ Approved
☒ Approved with conditions
☐ Denied

State Well No. _____
GMA Permit No. 0272
County Permit No. _____

Conditions/Reason for Denial: Conditions are listed in the October 29, 2018 letter transmitting approval.

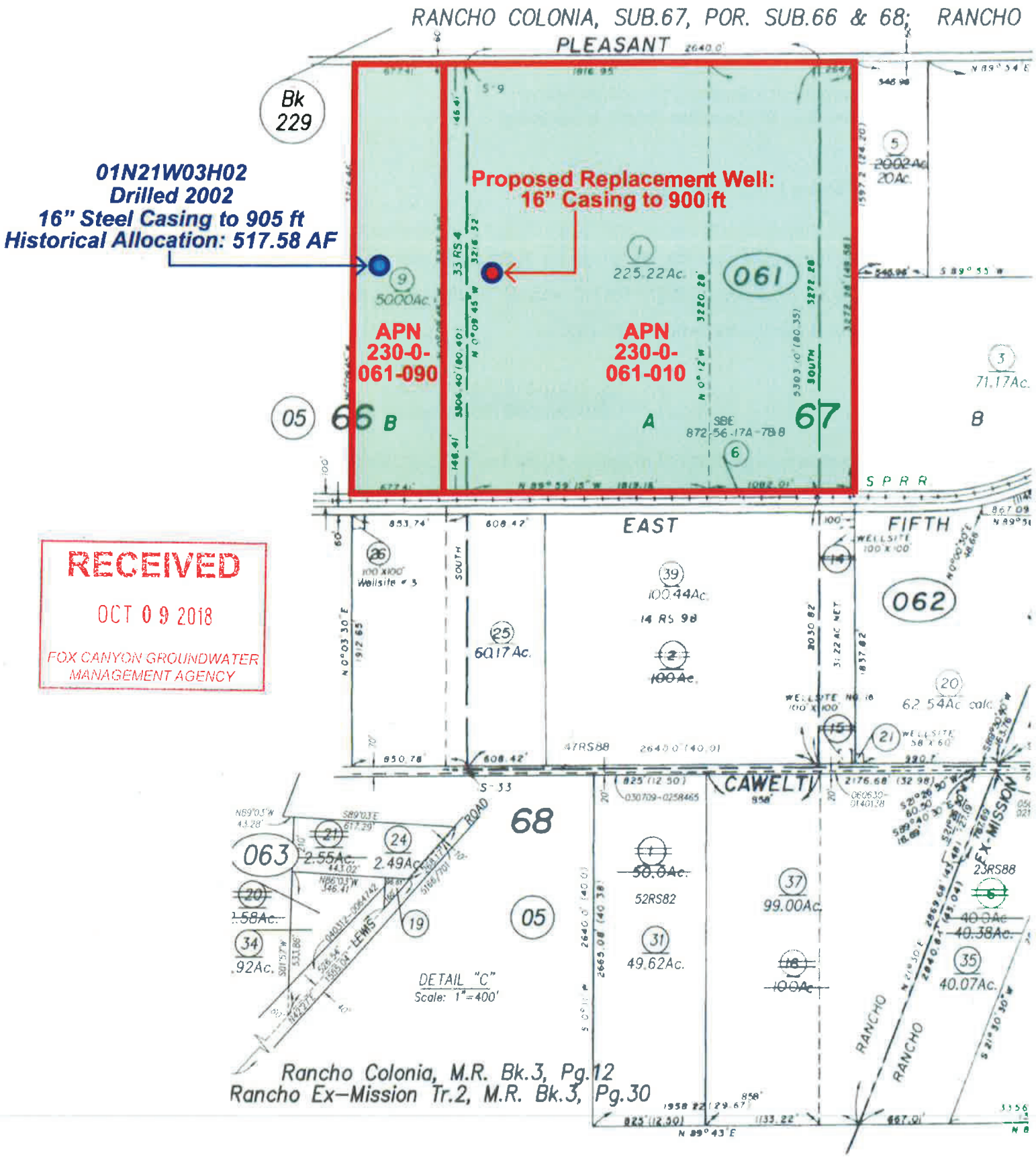
By: Kathleen Riedel Date 10/29/2018

This application is a permit when signed by the FCGMA Executive Officer or his/her designated appointee.

_____ Date 10/29/2018
Jeff Pratt, P.E., FCGMA Executive Officer

APPELLANT EXHIBIT E

Approx. 275.22 Irrigated Acres in Zone 2 (Camarillo)
Misc. Vegetable Single Crop in Typical Year 1.1 to 1.7 AF/Acre
= 299.44 to 462.77 AFY



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230-06

Roll-Year 14-15			BK. 230 , PG. 06
DATE	REFERENCE DOC.	EXPLANATION	
		Code	Description
9/4/2013	20130104-00001582	Other	Adding Refernce To APN

APPELLANT EXHIBIT E

October 4, 2018

Emergency Ordinance E Compliance Letter
Water Well Replacement Permit Applications

To Whom It May Concern,

This letter is to state that the proposed replacement water well (to replace the existing State Well Numbers *01N21W03H02*) will not result in any new or increased groundwater use at the following two irrigated parcels:

1. 230-0-061-010 (225.22 acres)
2. 230-0-061-090 (50.00 acres)

The estimated or reported irrigation extractions at the existing *-03H02* agricultural well, from when its construction in 2002 through 2017, are included as Table 1 on the next page. The largest reported volume during that time was 517.58 total acre-feet in 2012. Therefore, cumulative extractions from the replacement well will never exceed more than 517.58 total acre-feet in a given year.

Sincerely,

Adele Poliquin
RND Camarillo Ranch Partnership

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APPELLANT EXHIBIT E

SCHNEIDERS & ASSOCIATES, L.L.P.

ATTORNEYS AT LAW

ROY SCHNEIDER
THEODORE J. SCHNEIDER
KATHLEEN J. SMITH
WILLIAM E. WINFIELD*
GEORGIANNA REGNIER
ERIC HIRSCHBERG

Of Counsel
DEBORAH A. PERKINS
MICHAEL R. SHEVLIN, P.E.**
GEOFF SINDON

*Board Certified - Business Bankruptcy Law
American Board of Certification
**Registered Patent Attorney

300 E. ESPLANADE DRIVE
SUITE 1980
OXNARD, CA 93036

2945 TOWNSGATE ROAD
SUITE 200
WESTLAKE VILLAGE, CA 91361

Tel: (805) 764-6370
Fax: (805) 981-1133

RSTLEGAL.COM

Reply to Oxnard Office

Writer's email: rschneider@rstlegal.com

October 4, 2018

SENT VIA: CERTIFIED MAIL

Fox Canyon Groundwater Management Agency
800 S. Victoria Avenue
Ventura, Ca 93001

RE: *Fox Canyon Approval Letter / FCGMA Well Application No. 0272*

Dear Sir or Madam:

Please be advised the undersigned is counsel for the Trustee of the Daily Family Trust, which is the owner of that certain Assessor's Parcel No. 230-0-061-090, on which property the original well is located and is a subject of the above-referenced Well Application. This letter shall serve as acknowledgement and support of drilling a replacement well on Assessor's Parcel N0. 230-0-061-010. The original well and the contemplated replacement well has and will continue to serve both parcels.

If you have any questions or concerns, please feel free to contact the undersigned. Thank you for your cooperation.

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Very truly yours,

SCHNEIDERS & ASSOCIATES, L.L.P.

ROY SCHNEIDER

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TABLE 1	01N21W03H02
2002	471.9*
2003	471.9*
2004	471.9*
2005	325.86
2006	309.25
2007	130.16
2008	128.36
2009	85.77
2010	265.87
2011	361.23
2012	517.58
2013	457.21
2014	504.98
2015	273.28
2016	228.68
2017	126.01

Estimated (2002-2004) and Reported (2005-2017) Irrigation Extractions*

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County of Ventura

APPLICATION FOR WELL PERMIT

800 South Victoria Avenue; Ventura, CA 93009-1610

RND Camarillo Ranch Partnership

	Property Owner*	Driller	Registered Inspector
Name	Adele D. Poliquin	United Well Service, Inc.	
Address	822 Rim Crest Drive Westlake Village, CA 91361	6400 Price Way Bakersfield CA 93308	
Telephone	(805) 642-0211	(805) 390-6712	
License No.		C57-1000753	
Lic. Exp. Date		02/28/2019	
APN(s)	230-0-061-010		

Type of Work

- ☐ Water Supply Well
  - ☐ New (No._____)
  - X Replacement Well
    SWN of well to be replaced
    01N21W03H02
  - ☐ Backup or Standby Well
    SWN of well to be backed up
    _____
  - ☐ Destruction (No._____)
    SWN _____
  - ☐ Repair/Modify (No._____)
    SWN _____
- ☐ Monitoring Well
  - ☐ New (No._____)
  - ☐ Destruction (No._____)
- ☐ Engineering Test Hole (No._____)
- ☐ Cathodic Protection Well
  - ☐ New (No._____)
  - ☐ Destruction (No. ____)

Use

- X Agricultural
- ☐ Cathodic
- ☐ Domestic
- ☐ Industrial
- ☐ Monitoring
- ☐ Municipal

Estimate of anticipated annual pumping in acre feet per year

TBD by FCGMA
[FCGMA App. No. 0272]

Equipment

- X Rotary
- ☐ Hollow Stem
- ☐ Geoprobe
- ☐ Other (Describe)

_____

Proposed Construction

Well Depth 900'
Bore Diameter 26"

Casing

- X Steel — Diameter (in.) 16
- ☐ PVC — Wall Gauge (in) 0.312
- ☐ Other (Describe)

_____

Perforations

From 620 to 900 ft
From _____ to _____ ft
From _____ to _____ ft

Estimated Start Date: 1-Nov-2018

*NOTE: If proposed water supply well is within the area referenced in the Ventura County Well Ordinance No. 4468 Sec 4826.1-Water Well and Water Well Prohibition, your permit application must be accompanied by documentation that explains the reason for requesting a variance. If the proposed water supply will is in an area that is exempted from the moratorium, e.g. cities, FCGMA, etc., your permit application must be accompanied by the proper agency permit/approval.

I hereby agree to comply with all provisions of Ventura County Well Ordinance No. 4468, and all applicable State of California and local regulations pertaining to well construction, repair, modification and destruction. I also agree to comply with all conditions of the issued permit to include the submittal of post requirement documents and reports. I understand that any modification of the issued permit requires approval by the Manager, Water Resources Division and that the information contained herein becomes a part of the permit when issued.

Property Owner's Signature	Adele D. Poliquin	Date	7-13-18
Driller's Signature	Randy A Kendall	Date	9-12-2018
Registered Inspector's Signature (Applies to monitoring wells and borehole work)		Date	

APPELLANT EXHIBIT E

On behalf of the Daily Family Trust, the owner of Assessor's Parcel No. 230-0-061-090, I hereby consent to the forgoing acknowledgment and support of the drilling of a replacement well on Assessor's Parcel No. 230-0-061-010 which will serve both parcels.

DAILY FAMILY TRUST

Noel Daily, Trustee

By: Noel Daily, Trustee

Bcc: Noel Daily & bevq@hvwonline.com

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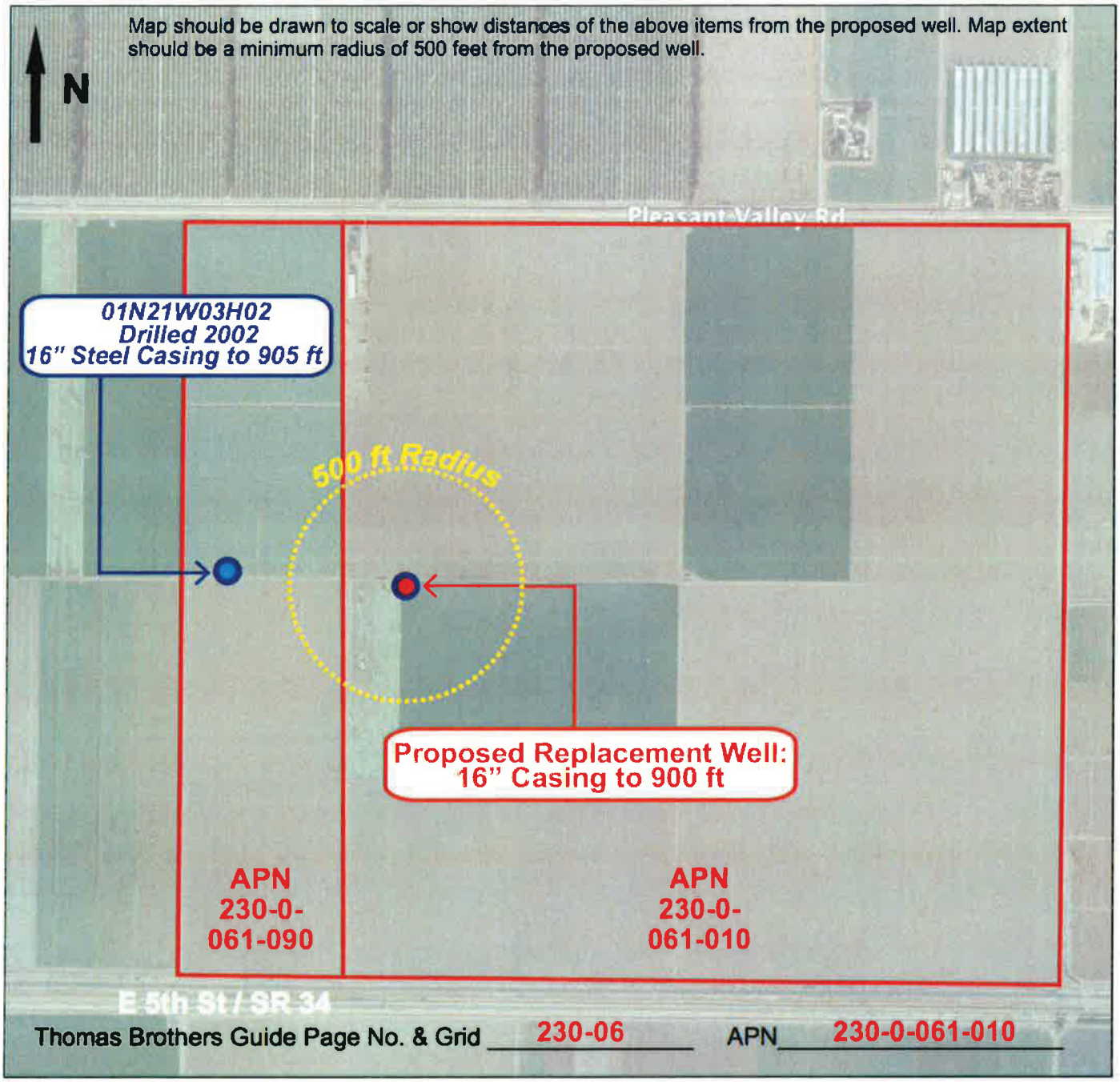
County of Ventura
APPLICATION FOR WELL PERMIT
800 South Victoria Avenue; Ventura, CA 93009-1610

Well Location Map / Site Plan: Indicate exact location of proposed well, showing existing wells, water courses, roads, property lines, septic tanks and leach fields, sanitary, industrial, and storm sewers, barnyard and stable areas, feedlots, and solid waste disposal sites. Setbacks from potential sources of contamination shall comply with the California Department of Water Resources *California Well Standards Bulletin 74-90* available at the below website address:
http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html



Thomas Brothers Guide Page No. & Grid 230-06 APN 230-0-061-010

Permit No._____

APPELLANT EXHIBIT F

bev

From: Riedel, Kathleen <Kathleen.Riedel@ventura.org>
Sent: Tuesday, August 07, 2018 5:02 PM
To: Gutierrez, Beverly
Subject: RE: FCGMA Well Application No. 0272, submittal incomplete

Good afternoon Beverly,

Thank you for the update. In response to your request, below is the extraction history with the reporting CombCode noted.

Well Number	FCGMA Basin	DWR Basin	Usage Code	Year Code	Extraction (in AF)	CombCode
01N21W03H02	PV	PV	AG	2002-2	235.95	OVP-D
01N21W03H02	PV	PV	AG	2003-1	235.96	OVP-D
01N21W03H02	PV	PV	AG	2003-2	235.96	OVP-D
01N21W03H02	PV	PV	AG	2004-1	235.96	OVP-D
01N21W03H02	PV	PV	AG	2004-2	235.96	OVP-D
01N21W03H02	PV	PV	AG	2005-1	85.88	OVP-D
01N21W03H02	PV	PV	AG	2005-2	239.98	OVP-D
01N21W03H02	PV	PV	AG	2006-1	93.97	OVP-D
01N21W03H02	PV	PV	AG	2006-2	215.28	OVP-D
01N21W03H02	PV	PV	AG	2007-1	84.45	OVP-D
01N21W03H02	PV	PV	AG	2007-2	45.71	OVP-D
01N21W03H02	PV	PV	AG	2008-1	88.01	OVP-D
01N21W03H02	PV	PV	AG	2008-2	40.35	OVP-D
01N21W03H02	PV	PV	AG	2009-1	13.42	OVP-D
01N21W03H02	PV	PV	AG	2009-2	72.35	OVP-D
01N21W03H02	PV	PV	AG	2010-1	131.98	OVP-D
01N21W03H02	PV	PV	AG	2010-2	133.89	OVP-D
01N21W03H02	PV	PV	AG	2011-1	153.8	OVP-D
01N21W03H02	PV	PV	AG	2011-2	207.43	OVP-D
01N21W03H02	PV	PV	AG	2012-1	310.15	OVP-D
01N21W03H02	PV	PV	AG	2012-2	207.43	OVP-D
01N21W03H02	PV	PV	AG	2013-1	217.14	OVP-D
01N21W03H02	PV	PV	AG	2013-2	240.07	OVP-D
01N21W03H02	PV	PV	AG	2014-1	318.96	OVP-D
01N21W03H02	PV	PV	AG	2014-2	186.02	OVP-OTR
01N21W03H02	PV	PV	AG	2015-1	112.5	OVP-OTR
01N21W03H02	PV	PV	AG	2015-1	15.87	OVP-OTR
01N21W03H02	PV	PV	AG	2015-2	144.91	OVP-OTR
01N21W03H02	PV	PV	AG	2016-1	89.28	OVP-OTR
01N21W03H02	PV	PV	AG	2016-2	139.4	OVP-OTR
01N21W03H02	PV	PV	AG	2017-1	27.67	OVP-OTR
01N21W03H02	PV	PV	AG	2017-2	98.34	OVP-OTR

Best Regards,

Well Number	Name	Well Status	FCGMA Ba	DWR Basin	Usage Cod	YearCode	Extraction	CombCode	CombCode
01N21W03H02		Destroyed	PV	PV	AG	2002-2	235.95	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2003-1	235.96	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2003-2	235.96	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2004-1	235.96	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2004-2	235.96	581	OVP-D
01N21W03H02		Destroyed	PV	PV	AG	2005-1	85.88	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2005-2	239.98	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2006-1	93.97	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2006-2	215.28	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2007-1	84.45	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2007-2	45.71	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2008-1	88.01	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2008-2	40.35	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2009-1	13.42	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2009-2	72.35	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2010-1	131.98	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2010-2	133.89	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2011-1	153.8	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2011-2	207.43	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2012-1	310.15	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2012-2	207.43	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2013-1	217.14	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2013-2	240.07	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (Daily Family Tr)	Destroyed	PV	PV	AG	2014-1	318.96	581	OVP-D
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2014-2	186.02	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2015-1	112.5	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2015-1	15.87	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2015-2	144.91	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2016-1	89.28	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2016-2	139.4	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2017-1	27.67	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2017-2	98.34	580	OVP-OTR
01N21W03H02	Oceanview Produce; Inc (OTR-Ohio)	Destroyed	PV	PV	AG	2018-1	0.56	580	OVP-OTR

APPELLANT EXHIBIT F

RECEIVED

JAN 22 2025

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

APPELLANT EXHIBIT G

SCHNEIDERS & ASSOCIATES, L.L.P.

ATTORNEYS AT LAW

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THEODORE J. SCHNEIDER
KATHLEEN J. SMITH
WILLIAM E. WINFIELD*
GEORGIANNA REGNIER
ERIC HIRSCHBERG

Of Counsel
DEBORAH A. PERKINS
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GEOFF SINDON

*Board Certified Business Bankruptcy Law American Board of Certification
**Registered Patent Attorney

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OXNARD, CA 93036

2945 TOWNSGATE ROAD
SUITE 200
WESTLAKE VILLAGE, CA 91361

Tel: (805) 764-6370
Fax: (805) 981-1133

Reply to Oxnard Office

RSTLEGAL.COM

Writer's email: rschneider@rstlegal.com

October 4, 2018

SENT VIA: CERTIFIED MAIL

Fox Canyon Groundwater Management Agency
800 S. Victoria Avenue
Ventura, Ca 93001

RE: *Fox Canyon Approval Letter / FCGMA Well Application No. 0272*

Dear Sir or Madam:

Please be advised the undersigned is counsel for the Trustee of the Daily Family Trust, which is the owner of that certain Assessor's Parcel No. 230-0-061-090, on which property the original well is located and is a subject of the above-referenced Well Application. This letter shall serve as acknowledgement and support of drilling a replacement well on Assessor's Parcel N0. 230-0-061-010. The original well and the contemplated replacement well has and will continue to serve both parcels.

If you have any questions or concerns, please feel free to contact the undersigned. Thank you for your cooperation.

RECEIVED

OCT 09 2018

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

Very truly yours,

SCHNEIDERS & ASSOCIATES, L.L.P.

ROY SCHNEIDER

APPELLANT EXHIBIT H

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, Chair, *Camrosa Water District*
David Borchard, Vice Chair, *Farmer, Agricultural Representative*
Steve Bennett, *Supervisor, County of Ventura*
Charlotte Craven, *Councilperson, City of Camarillo*
Robert Eranio, *Director, United Water Conservation District*

EXECUTIVE OFFICER
Jeff Pratt, P.E.

October 29, 2018

Ms. Adele D. Poliquin
882 Rim Crest Drive
Westlake Village, CA 91361

RND Camarillo Ranch Partnership
215 E. Daily Drive #23
Camarillo, CA 93010

SUBJECT: CONDITIONAL APPROVAL OF WELL PERMIT APPLICATION FOR APN 230-0-061-010; FCGMA PERMIT NO. 0272

Dear Ms. Adele D. Poliquin and RND Camarillo Ranch Partnership:

Based on the submitted application and supporting documentation, the proposed well is a replacement well for active well State Well Number (SWN) 01N21W03H02S located on a parcel identified as Assessor's Parcel Number (APN) 230-0-061-090 (50.00 acres). The proposed well is to be located on the adjacent parcel APN 230-0-061-010 (225.22 acres) to the east. The proposed and existing wells are located in the central portion of the parcels, near the western boundaries, which are located in the west central portion of the Pleasant Valley groundwater basin. The well being replaced has provided a groundwater supply for agricultural use on parcels APNs 230-0-061-010 and 230-0-061-090. The proposed well is to serve in the same capacity. Aside from the well being replaced, there are two active wells within approximately 0.43 mile of the proposed well location. The Agency did not review the application for potential well interference.

We have conditionally approved your well permit application as described below. Conditions of well permit approval are:

1. Well SWN 01N21W03H02S is to be destroyed under Ventura County WPD well permit within 1 year of completion of drilling activities.
2. Groundwater extractions from the well are to be reported under the same well group as the well being replaced.
3. The groundwater well is to be registered with the FCGMA.
4. Operation of the well must comply with the FCGMA Ordinance Code.
5. No groundwater is to be exported outside of the FCGMA boundary.
6. Groundwater extractions from the extraction facility shall be measured with a calibrated flowmeter.
7. Irrigation systems shall incorporate irrigation best management practices consistent with current industry standards.
8. The well shall be constructed with a sounding tube having a minimum diameter of 1.5 inches.
9. The groundwater extraction allocation (while Emergency Ordinance E is in effect) is based on meeting the Irrigation Allowance Index value, currently set at 1.0 and not exceeding the cap for the zone. Exceeding the values will result in imposition of surcharges. [Note: The FCGMA Board of Directors plans to adopt an ordinance for a new allocation system to replace Emergency Ordinance E and

historical allocation. Future extractions will be subject to any future ordinances adopted by the FCGMA Board.]

10. While Emergency Ordinance E is in effect, there is to be no new or increased use of groundwater. A new or increased use of groundwater is one that did not exist before April 11, 2014. The combined total annual extractions from the well group, which includes well SWN 01N21W03H02S and the replacement well, **shall not exceed 517.58 acre-feet per year**.

If you have any questions, please call me at (805) 654-2954.

Sincerely,

Kathleen Riedel

Kathleen Riedel, CEG
Groundwater Specialist

Enclosures: (1) Groundwater Extraction Facility Registration Form
(2) Flowmeter Update Form

Cc: Jeff Pratt, Executive Officer
Beverly C. Gutierrez

APPELLANT EXHIBIT I

Permit No. **GWP-08309**
Page 1 of 4

County of Ventura
WELL PERMIT
800 South Victoria Avenue; Ventura, CA 93009

Property Owner	DAILY RICHARD N TR	**Driller**	UNITED WELL SERVICES, INC.
Address	882 Rim Crest Dr Westlake Village, CA 91361	**Address**	6400 PRICE WAY BAKERSFIELD, CA 93308
Telephone	(805) 642-0211	**Telephone**	(661) 392-8000

Type of Work	**Water Supply Well - Destruction** **Replacement Water Well - New**	**Sealing Zone**	2	**Main Use**	Agricultural
SWN **SWN (Partial)**	01N21W03H02S 01N21W03E	**ID**	8716 NA	**APN**	230-0-061-090 230-0-061-010
Fee	$865.00	**Receipt No.**	631339	**Prep by:**	Jeff Dorrington
Well Location	Pleasant Valley Rd & Las Posas Rd	**Proposed Construction**	**Well Depth** 900 ft	**Bore Diameter** 26 in	
Basin	Pleasant Valley		**Perforations** Top-620 ft Bottom-900 ft		

GENERAL CONDITIONS

1. Permit issue and expiration dates are as follows:

   Issue Date: 11/01/2018
   Expiration Date: 05/01/2019

The Contractor shall keep a copy of this approved permit at the work site.

2. Property Owner and his Driller ("Contractor") shall comply with all provisions of Ventura County Well Ordinance No. 4468, and all applicable State of California and local regulations pertaining to well construction, repair, modification and destruction.

3. All work involved in installation of the well, including but not limited to drilling, installation of casing, placement of gravel pack, and placement of sealing material shall be performed by a licensed water well contractor (C-57), who must also be registered with the Watershed Protection District, Groundwater Section ("District").

4. Contractor shall retain all drilling fluids and groundwater discharges within the drilling site, unless an NPDES permit has been obtained from the California Regional Water Quality Control Board, Los Angeles Region. The NPDES permit shall be obtained prior to drilling operations.

WELL DESTRUCTION

5. Pump, motor, and all debris, pollutants and contaminants shall be removed from the well. **All debris shall be removed to a depth of 120 feet.**

6. Sealing Requirements:

   a. The well completion report indicates the well has a proper annular seal. No perforation of casing is required.

   b. Concrete, cement grout or neat cement annular sealing material shall be placed in the casing at the following depths:

      From a depth of 120 feet to 5 feet.

Where an annular seal exists, neat cement, concrete or cement grout may be placed in the casing at the indicated depths.

All cement sealing material shall be placed by means of a grout pipe positioned within 2 feet of the base of the sealing zone. For Sealing Zones 1 and 2, if the standing water level in the casing is below the base of the sealing zone and the sealing depth is 25 feet or less, a grout pipe will not be necessary.

Revised 02/13/2015

County of Ventura
WELL PERMIT
800 South Victoria Avenue; Ventura, CA 93009

c. The casing shall be filled with clean sand, gravel or cement sealing material at all depths not to be sealed.

d. The Groundwater Section Inspector shall inspect all casing perforation work and placement of sealing material. **Provide a minimum 48-hour advance notice. Call (805) 654-2024 or 654-2907 to arrange for this inspection. Inspector availability cannot be guaranteed without this minimum advance notice.**

NEW WELL CONSTRUCTION

7. All required structural setbacks must be met along with the minimum separation from sewage lines, septic tanks, leach fields, cesspools, seepage pits, and animal or fowl enclosures in accordance with California Department of Water Resources Bulletin 74-90.

8. Well must be constructed with a sounding tube, taphole with plug, or similar access for water level measuring equipment.

9. Sealing Requirements:

a. Annular Sealing material shall be placed **from a depth of 120 feet to ground surface**.

b. Concrete, cement grout or neat cement annular sealing material shall be placed by means of a grout pipe positioned within 2 feet of the base of the sealing zone. For Sealing Zones 1 and 2, if the standing water level in the annulus is below the base of the sealing zone and the sealing depth is 25 feet or less, a grout pipe will not be necessary.

c. A concrete base or pad shall be constructed at ground surface around the top of the well casing and shall contact the annular seal. The pad shall extend at least two feet laterally in all directions from the outside of the well boring and shall be a minimum of 4 inches thick. The upper surface of the concrete base and ground surface immediately surrounding the base shall slope away from the top of the well casing.

d. Diameter of the well bore shall be a minimum of 4 inches larger than the outside diameter of the casing for the full depth of seal.

e. Permanent conductor casings must be sealed following the requirements listed above. Sealing depth requirement is waived.

f. The Groundwater Section Inspector shall inspect all placement of sealing material. **Provide a minimum 48-hour advance notice. Call (805) 654-2024 or 654-2907 to arrange for this inspection. Inspector availability cannot be guaranteed without this minimum advance notice.**

g. Annular seal on well casing must be allowed to set for a minimum of 24 hours before construction operations on the well can be resumed.

10. After work involved in installation of the well is completed, a cover shall be placed over the top of the casing that locks or requires tools to remove until such time as a pump is installed and the top of the casing is securely covered. If a pump is not installed within 365 days, the County will classify the well as abandoned. If the well becomes abandoned the Property Owner shall obtain a well destruction permit from the District and destroy it within 60 days.

11. Borehole Destruction Requirements:

a. If the well is not completed, the borehole shall be destroyed immediately.

APPELLANT EXHIBIT I

County of Ventura
WELL PERMIT
800 South Victoria Avenue; Ventura, CA 93009

b. The borehole shall be filled with clean sand, gravel or cement sealing material **from the base of the borehole to within 120 feet of ground surface**. Neat cement, concrete, or cement grout shall be placed **from a depth of 120 feet to within 5 feet of finish grade** by means of a grout pipe positioned within 2 feet of the base of the sealing zone. If the standing water level in the borehole is below the base of the sealing zone and the sealing depth is 25 feet or less, a grout pipe will not be necessary. Bentonite chips, inert imported fill or clean native materials shall be placed from a depth of 5 feet to ground surface

12. Post Requirements:

a. Well Completion Report: Within 30 days after well installation work is completed, the Contractor shall submit a copy of the DWR Well Completion Report to the Division. Mail report to County of Ventura – Watershed Protection District, Groundwater Section; Attn: Barbara Council (Re: WCR); 800 South Victoria Avenue; Ventura, CA 93009-1600. **Failure to submit this report within 30 days will preclude Well Owner and his Contractor from obtaining future permits until report is received and may result in the issuance of a Notice of Non-Compliance and Administrative Fines may be imposed.**

b. Water Quality Sampling and Analysis: Within 60 days after pump has been installed, Property Owner shall submit results of a water quality analysis to the Groundwater Section. A water sample shall be collected from the well and tested for General Minerals. Testing shall be conducted by a State DOHS approved laboratory. Mail analysis to County of Ventura – Watershed Protection District, Groundwater Section; Attn: Barbara Council (Re: WQS); 800 South Victoria Avenue; Ventura, CA 93009-1600. **Failure to submit analysis within 60 days will preclude Property Owner from obtaining future permits until results of sampling are received and may result in the issuance of a Notice of Non-Compliance and Administrative Fines may be imposed.**

13. Post Sealing Conditions

Work such as installation of pump, flowmeter, etc., does not require a C-57 license. This work should be performed by an appropriately licensed contractor.

a. Well discharge piping shall contain a water sampling port or valve for obtaining water samples for water quality analysis.

b. If pump discharge pipes do not discharge or open to the atmosphere a backflow prevention device or check valve must be installed to prevent backflow and/or siphonage into the well. Irrigation well systems or other well systems that employ chemical feeders or injectors shall be equipped with a backflow prevention device or check valve.

c. Water well shall be equipped with a flow meter. Flow meters will be calibrated and a report submitted to the Agency at a minimum of every three years.

d. The Groundwater Section Inspector shall inspect completed well to confirm installation of taphole with plug, or similar access for water level measuring equipment, water sampling port or valve, and concrete base or pad, check valve/backflow prevention device, and flowmeter (if it is required by the conditions of this permit). **Call (805) 654-2024 or 654-2907 to arrange for this inspection.**

14. The information contained in the Application for Well Permit becomes a part of this permit.

Manager, Groundwater Section _____ Date 5-Nov-2018

County of Ventura
WELL PERMIT
800 South Victoria Avenue; Ventura, CA 93009

WELL DESTRUCTION

Perforation of casing observed by NA Date NA
Inspector Signature

Placement of seal observed by _____ Date _____
Inspector Signature

NEW WELL

Inspector observed placement of annular seal as required by permit conditions.

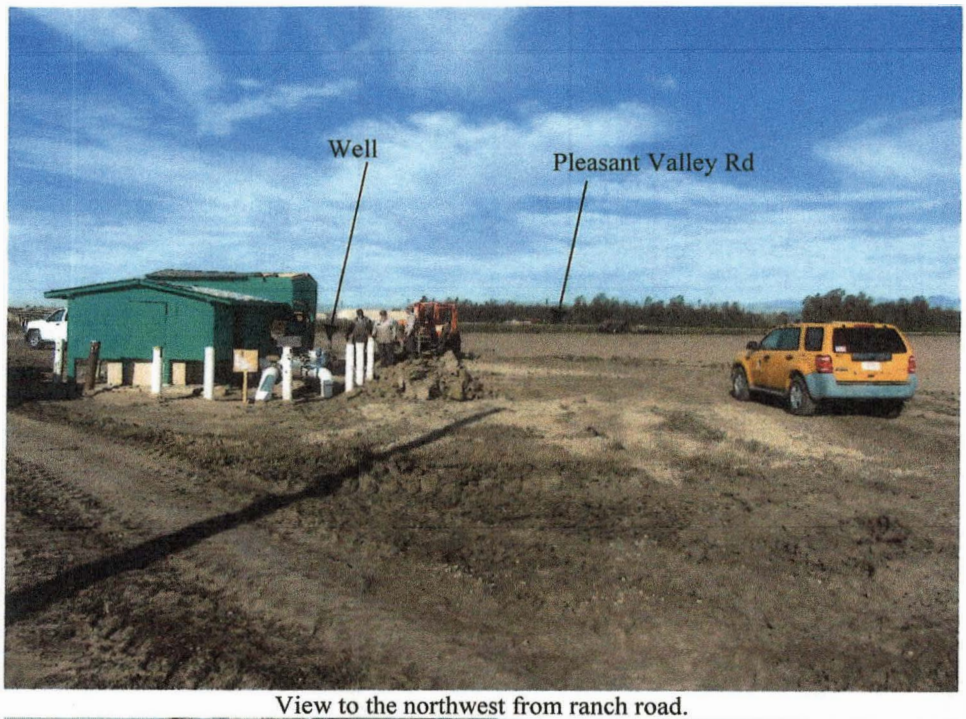
Inspector Signature _____ Date _____

Revised 02/13/2015

APPELLANT EXHIBIT J

WATER WELL SEALING RECORD PHOTOS

Permit # GWP-08309
SWN 01N21W03H02S
Date 12/20/2018
Taken by Barbara Council



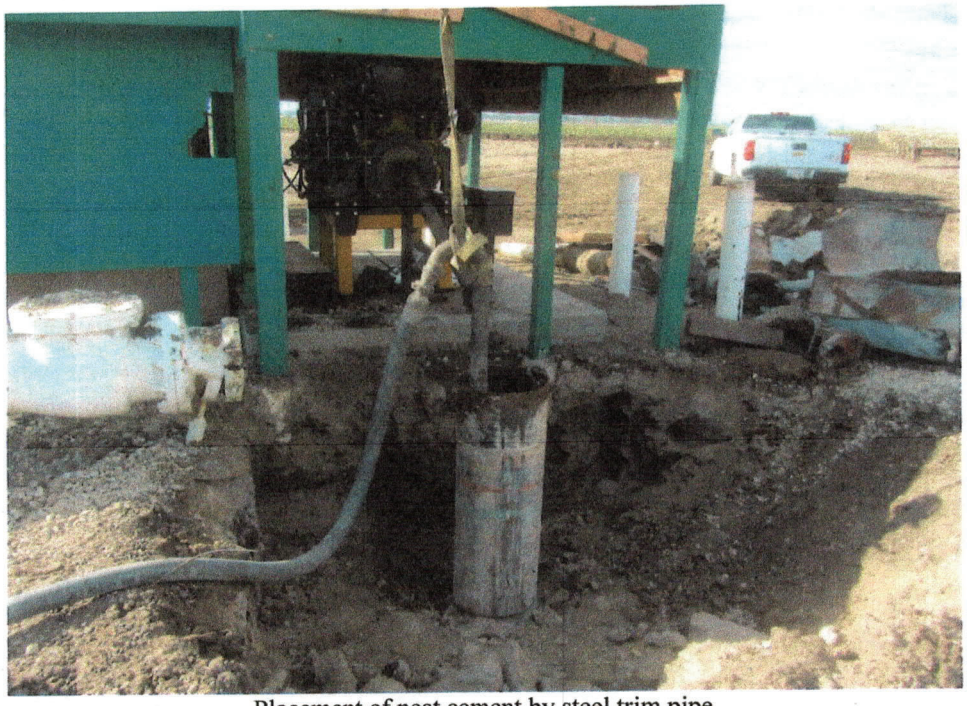
View to the northwest from ranch road.

Delivery of neat cement.

APPELLANT EXHIBIT J

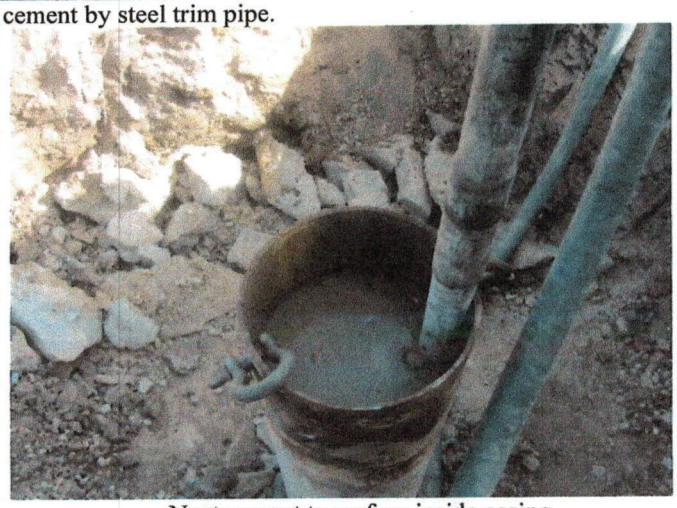
WATER WELL SEALING RECORD PHOTOS

Permit #	GWP-08309
SWN	01N21W03H02S
Date	12/20/2018
Taken by	Barbara Council



Placement of neat cement by steel trim pipe.

Neat cement seeping from casing where it is cut 5 ft down.



Neat cement to surface inside casing.

APPELLANT EXHIBIT J

34 12 04.7 2568078
119 03 37.0 1679399.84

WELL SEALING RECORD

PERMIT # 8309

START DATE 11/01/18
EXPIRATION DATE 05/01/19

☑ NEW WELL ☐ DESTRUCTION ☐ OTHER

10-sack sand-cement slurry TYPE OF MATERIAL USED

WELL #	DELIVERED TO SITE Cu. Yd.	LEFT OVER Cu. Yd.	USED FOR SEALING Cu. Yd.	BOREHOLE Diameter (NEW WELLS)	WELL CASING Diameter	DEPTH OF SEAL FROM	DEPTH OF SEAL TO
☐ MIX ON SITE	8 yd³	0.25 yd³	~7.75 yd³	46	36	32	0
☐ MIX ON SITE					16"	120	0
destruction ☐ MIX ON SITE	7 yd³	~2 yd³	~5 yd³				

METHOD OF SEALING PLACEMENT: ☒ GROUT PIPE DROP OTHER

NUMBER OF GROUT PIPE SECTIONS 2 LENGTH OF EACH SECTION 21 FEET

(DESTRUCTION ONLY)
CONFIRMATION THAT THE CASING WAS RIPPED OR PREFORATED AS REQUIRED BY THE PERMIT.

REMARKS:

Conductor 11/08/18 BC observed placement of 10-sack sand cement slurry from 46 ft bgs to surface using 42 ft of 1" trim pipe. They pushed the trim pipe with attached hose down 2ft bg's until sealing material came up in hole.
Final seal placed on a Saturday when staff could not be present.
~~DESCRIBE ANY VARIANCE IN THE SEALING METHOD OR MATERIAL FROM PERMIT CONDITIONS, OR ANY OTHER FACTORS WHICH, IN YOUR ESTIMATION, MIGHT HAVE CAUSED THE SEALING OPERATION TO BE LESS THAN SATISFACTORY~~
Destruction BC observed placement of neat cement from 120 ft bgs to surface using 2.5" diameter steel trim pipe.

IN MY OPINION, THE WELL SEALING WAS:

☒ SATISFACTORY
☐ UNSATISFACTORY FOR REASONS DESCRIBED ABOVE

11/08 INSPECTION SERVICES START 1:00 COMPLETED 3:30

OPTION:

☒ ATTACHED PHOTO OF SITE AND IMMEDIATE VICINITY
☒ ATTACHED CEMENT TRUCK REPORT
☐ OTHER

12/20 Start 10:00
Comp 11:15

DATE SEALED: 12/20/18

Barbara Kamil INSPECTOR 12/20/2018 DATE

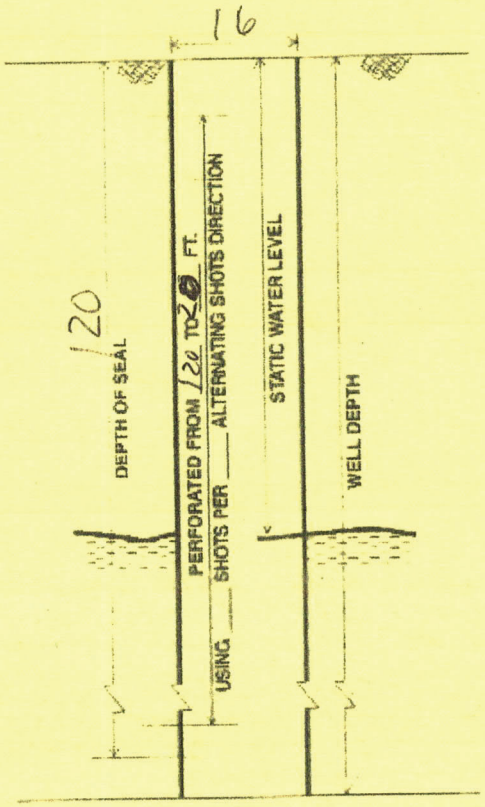
APPELLANT EXHIBIT J

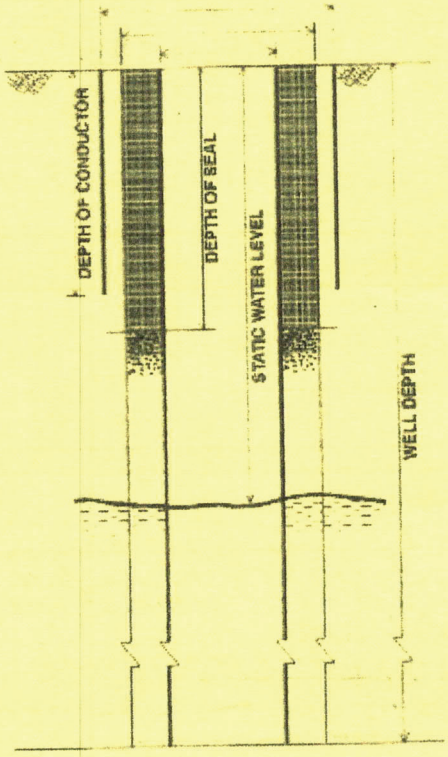
34 12 5.0
119 03 44.0

INSPECTION NOTES

PERMIT # 8309

☒ DESTRUCTION ☐ NEW WELL





QUANTITIES OF	WATER	CEMENT	BENTONITE	SAND	GRAVEL	CLAY
☒ NEAT CEMENT (CEMENT SLURRY): CEMENT + WATER				------	------	------
☐ CEMENT GROUT: CEMENT + WATER + SAND					------	------
☐ CONCRETE: CEMENT + WATER + SAND + GRAVEL						------
☐ CLAY PELLETS: SOMETIMES USED AS A SEAL BETWEEN GRAVEL SURROUNDING PERFORATIONS AND CONCRETE SEAL IN SHALLOW (MONITORING) WELLS						

Additional Notes:

APPELLANT EXHIBIT K

RECEIVED
SEP 23 2019
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura, CA 93009 - 1610
Phone (805) 645-1372 Fax (805) 654-3350
Websites www.fcgma.org OR www.fcgmaonline.org

ENTERED 9/25/19 JH

Annual Application for Efficiency Allocation

[Irrigation Allowance Index Method]

(Effective August 1, 2014)

Crop Year 2018/2019 (August 1, 2018 - July 31, 2019)

FCGMA CombCode: RNDCAM

What is your ETO Zone (see attached map)? ZONE 2 Year Type: WET

Please complete the following tables for ALL water applied to irrigate your crops:

Groundwater Wells (List ALL State Well Nos.)	Extractions in Acre-feet: Aug - Dec		Jan - Jul		Yearly Total
01N21W03H03	0	+	.28	=	39.
		+			
		+			
		+		=	
		+		=	
Total Volume from Wells =					39.28 ①

Water Purveyor (Examples: UWCD and PVCWD)	Turnout No. / Meter No.	Deliveries in Acre-feet: Aug - Dec		Jan - Jul		Yearly Total
PVCWD	P-3C	0	+	61.726	=	61.726
			+		=	
Total Volume from Purveyor =						61.726 ②

Other Source: (Example: Neighbor's well with SWN)	Volume in Acre-feet: Aug - Dec		Jan - Jul		Yearly Total
		+		=	
		+		=	
Total Volume from Other Sources =					③

WATER APPLIED equals the sum of the total volume ①+②+③ = 101.006 ④

WATER APPLIED

Please complete tables for ALL irrigated acreage, crop categories & Irrigation Allowance:

Seasonal Crops (List specific crop category from Crop Irrigation Allowance table)	# of Irrigated Acres		Irrigation Allowance per Acre*		% Complete for Crop Year		Irrigation Allowance per crop type
YEAR RND VEGGIES (CROP)	263	x	3.5	x	42 %	=	386.61
		x		x	%	=	
		x		x	%	=	
		x		x	%	=	
Total Seasonal Crop Irrigation Allowance =							386.61 ⑤

Annual & Year-Round Crops (List specific crop category from Crop Irrigation Allowance table)	# of Irrigated Acres		Irrigation Allowance per Acre*		# of Irrigated Months in Crop Year		Months per Year		Irrigation Allowance per crop type
		x		x		/	12	=	
		x		x		/	12	=	
		x		x		/	12	=	
		x		x		/	12	=	
Total Annual Crop Irrigation Allowance =									⑥

TOTAL IRRIGATION ALLOWANCE

*Irrigation Allowance/acre from FCGMA Crop Year Irrigation Allowance table (included).

Total Seasonal Crop Irrigation Allowance	⑤	386.61
+		
Total Annual Crop Irrigation Allowance	⑥	0
=		
Total Irrigation Allowance	⑦	④ 386.61 ⑦

Irrigation Allowance Index (IAI) = WATER APPLIED divided by TOTAL IRRIGATION ALLOWANCE :

Irrigation Allowance Index (IAI) = ④ 101.006 / ⑦ 386.61 = 262 (Rounded to the nearest tenth)

Irrigated Acres is > APN Acres

Total Acres Irrigated	=	263

Note: Required to determine if your water application exceeded the Agency-Wide cap.

? Aren't sure how to calculate your Irrigated Acres? Use the "Example Calculations..." located on the Irrigation Allowance Index page of the Agency's website.

APPELLANT EXHIBIT K

Annual Application for Efficiency Allocation

[Irrigation Allowance Index Method]

(Effective August 1, 2014)

Crop Year 2018/2019 (August 1, 2018 - July 31, 2019)

Assessor's Parcel Information

Please list **ALL** Assessor's Parcel Numbers for **ALL** irrigated acres, regardless of ownership, that are being supplied water by the groundwater well(s), water purveyor(s) and other sources with which this Annual Application for Efficiency Allocation represents.

List the first nine (9) digits of each Assessor's Parcel Number (APN) below (remove the last digit).

(Example: Your APN is 100-0-040-035 so you would list 100-0-040-03.)

(1) 230-0-061-01 (5) ___-___-___-___

(2) ___-___-___-___ (6) ___-___-___-___

(3) ___-___-___-___ (7) ___-___-___-___

(4) ___-___-___-___ (8) ___-___-___-___

Please include a map that clearly identifies the well location(s) and irrigated acres by crop category. We recommend you use the GIS Mapping Tool for this step.

Note: The GIS Mapping Tool can be found on the Irrigation Allowance Index page of the Agency's website.

The map must identify the following:
(1) Assessor's Parcel No(s).
(2) Well Location(s)
(3) Irrigated Acres by Crop Category

Complete documentation, including calculations, on water applied (groundwater well(s), water purveyor(s) and other sources) and Irrigation Allowance for the current year is required. Failure to submit complete documentation may result in denial of this application and a surcharge or assessment of a civil penalty per Resolution No. 2013-01.

"I declare under penalty of perjury under the laws of the State of California that the information contained in this application is true and correct."

LAUBACHER FARMS INC
Well Operator Name (please print)

PRESIDENT
Title

Well Operator Signature

9/15/2019
Date

Application for Efficiency Allocation Checklist:

☐ Completed/Signed Application (pages 1-2)

☐ Map(s) clearly identifying the well location(s) AND the irrigated acres by crop category

(For Office Use Only)

Executive Officer Approval:

☐ Approved

☐ Returned for Corrections

☐ Denied

FCGMA Stamp

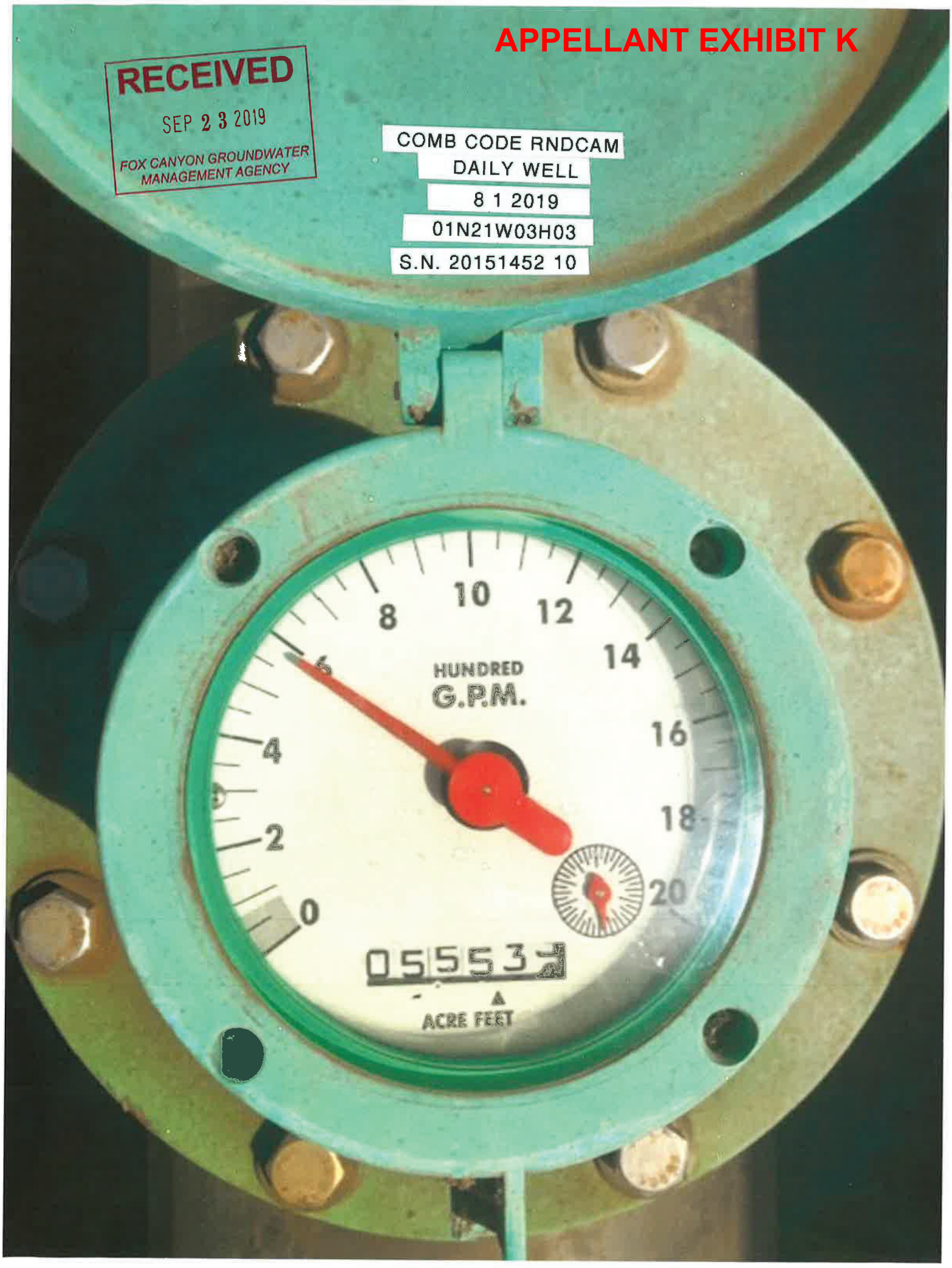
APPELLANT EXHIBIT K

APPELLANT EXHIBIT K

APPELLANT EXHIBIT K

RECEIVED
SEP 23 2019
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

COMB CODE RNDCAM
DAILY WELL
8 1 2019
01N21W03H03
S.N. 20151452 10



APPELLANT EXHIBIT K

APPELLANT EXHIBIT L

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue
Ventura, CA 93009-1610
Tel: (805) 645-1372
Fax: (805) 654-3350

Groundwater Extraction Facility Registration Form

Owners and Operators of a groundwater extraction facility are required to register their well(s) and provide related information to the Fox Canyon Groundwater Management Agency (FCGMA). Per FCGMA Ordinance No. 8.1, Chapter 2.0, **all** groundwater extraction facilities within the boundaries of the FCGMA shall be registered with the Agency.
*(Please complete a Registration Form for each well that you own **or** operate and return to the FCGMA.)*

Owner Information

Contact Name: Beverly Gutierrez
Business Name: Hoffman, Vance & Worthington, Inc.
Address: 1000 S. Seaward Ave.
City/State/Zip: Ventura, CA 93001
Phone # / Fax #: 805-642-0211
Email Address: laurel@hvwonline.com

Operator Information *(if different than above)*

Contact Name: Hank Laubacher
Business Name: Laubacher Farms, Inc.
Address: 421 Eastwood Dr.
City/State/Zip: Oxnard, CA 93030
Phone # / Fax #: 805-488-6191
Email Address: hankjr@laubacherfarms.com

Well Information

State Well No. (SWN): 01 N 21 W 03 H 03 S
Owner's Well Name/No.: RND Camarillo Ranch Partnership
State Recordation No.:
Well location/address *(provide accurate sketch)*: Pleasant Valley Road

APPELLANT EXHIBIT L

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue
Ventura, CA 93009-1610
Tel: (805) 645-1372
Fax: (805) 654-3350

Additional Well Information

County Well Permit # GWP-08309 GMA Permit # 0272

Well Depth 920' Feet Manufacturer of Water Meter Water Specialties

Casing Diameter 16" Inches Serial No.of Water Meter 20151452-10

Motor/Engine 350 HP Electric Meter No. N/A (Diesel)

Perforations 596 - 920 Feet Date Drilled April 2019

Assessor Parcel No. (APN) 230-0-061-010

Groundwater Basin Pleasant Valley

CombCode / Account Name

☐ Add to Existing CombCode (list CombCode) _____

☐ New CombCode (list a preference if you have one) _____

Well Water Use Type

☒ Agricultural / Irrigation *(list number of acres and crop category(ies))* _____

☐ Stock Watering *(number and type of animals)* _____

☐ Domestic *(number of persons served)* _____

☐ Municipal or Industrial _____

☐ Other *(describe)* _____

Extraction Method

☒ Water Flowmeter *(state what flowmeter reads in: acre-feet (AF), gallons, cubic-feet (CF))* _____

☐ Power Records *(date of last efficiency test)* _____

☐ Consumptive Use _____

☐ Other *(describe)* _____

Laurel Ritney
(Print Name)

5/30/19
(Date)

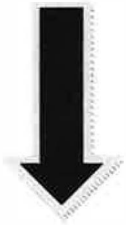
laurelritney
(Signature)

☑ agent of Owner ☐ Operator

APPELLANT EXHIBIT M

01N21W03H03

OVP-OTR



RNDCAM

APPELLANT EXHIBIT M RNDCAM

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue
Ventura, CA 93009-1610
Tel: (805) 645-1372
Fax: (805) 654-3350

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(Please complete a Registration Form for each well that you own or operate and return to the FCGMA.)

Owner Information

Contact Name: Daily Richard N Tr - Adele Daily Poliquin
Business Name:
Address: 215 E. Daily Dr. #23
City/State/Zip: Camarillo, CA 93010
Phone # / Fax #: 805-642-0211
Email Address: laurel@hvwonline.com

Operator Information *(if different than above)*

Contact Name: Hank Laubacher
Business Name: Laubacher Farms, Inc.
Address: 421 Eastwood Dr.
City/State/Zip: Oxnard, CA 93030
Phone # / Fax #: 805-488-6191
Email Address: hankjr@laubacherfarms.com

Well Information

State Well No. (SWN): 01N21W03H03S
Owner's Well Name/No.: RND Camarillo Ranch Partnership
State Recordation No.:
Well location/address *(provide accurate sketch)*: Pleasant Valley Road

ENTERED 6/14/19

APPELLANT EXHIBIT M

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue
Ventura, CA 93009-1610
Tel: (805) 645-1372
Fax: (805) 654-3350

Additional Well Information

County Well Permit # GWP-08309 GMA Permit # 0272

Well Depth 920' Feet Manufacturer of Water Meter Water specialties

Casing Diameter 16" Inches Serial No.of Water Meter 20151452-10

Motor/Engine 350 HP Electric Meter No. N/A (Diesel)

Perforations 596 - 920 Feet Date Drilled April 2019

Assessor Parcel No. (APN) 230-0-061-010

Groundwater Basin Pleasant Valley

CombCode / Account Name

☐ Add to Existing CombCode (list CombCode) _____

☐ New CombCode (list a preference if you have one) _____

Well Water Use Type

☒ Agricultural / Irrigation *(list number of acres and crop category(ies))* _____

☐ Stock Watering *(number and type of animals)* _____

☐ Domestic *(number of persons served)* _____

☐ Municipal or Industrial _____

☐ Other *(describe)* _____

Extraction Method

☒ Water Flowmeter *(state what flowmeter reads in: acre-feet (AF), gallons, cubic-feet (CF))* _____

☐ Power Records *(date of last efficiency test)* _____

☐ Consumptive Use _____

☐ Other *(describe)* _____

Laurel Pitney
(Print Name)

5/30/19
(Date)

Laurel Pitney
(Signature)

☒ agent of Owner ☐ Operator

7/9/2015

ENTERED 6/14/19

APPELLANT EXHIBIT M

Identify

Identify from: <Top-most layer>

- WRIS_allwells
  - DAILY RICHARD N TR

Location: 1,679,399.840 256,907.811 Feet

Field	Value
FID	8747
Shape	Point
ID	10155
Agency	FCGMA
SWN	01N21W03H03S
Log_Number	
Status	Active
Main_Use	Agricultural
Owner_Name	DAILY RICHARD N TR
Owner_Addr	215 E DAILY DR #23
Owner_City	CAMARILLO
Owner_Stat	CA
Owner_Zipc	93010-
Owner_Tele	8056420211
Owner_Conf	0
Owner_by_G	0
Situs	None
Destructio	0
Expiration	<null>
GW_Basin	Pleasant Valley
DWR_Basin	Pleasant Valley Hydrologic Subarea
APN	2300061010
Latitude	3412047
Longitude	11903370
X	1679399.84
Y	256907.811
Post	
Location_M	11/08/2018 - From Interstate Hwy 101 take the Las Posas exit and
Bore_Depth	0
Bore_Diame	0
Case_Depth	0
Case_Diame	0
Top_Perfor	0
Bottom_Per	0
Port	
Operator_N	
Operator_A	
Operator_C	
Operator_S	
Operator_Z	
Operator_T	
Photo	None Available
Map	None Available

APPELLANT EXHIBIT M RNDCAM

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue
Ventura, CA 93009-1610
Tel: (805) 645-1372
Fax: (805) 654-3350

Authorization Form

Ordinance Code Section 2.2 requires the name of the owner of each extraction facility, the parcel number on which the well is located along with the names of all operators for each extraction facility shall be reported to the Agency within 30 days upon any change of ownership or operators, together with such other information required by the Executive Officer.

As the legal owner of the following extraction facility(ies):

State Well No. 01 N 21 W 03 H 02 3S

State Well No. ____ N ____ W ____

State Well No. ____ N ____ W ____

I hereby authorize and designate

Business Name: Laubacher Farms, Inc. Office: 805-488-6191

Contact Name: Hank Laubacher Mobile: 805-732-7352

Address: 421 Eastwood Dr. Fax: ——

Oxnard, Ca. 93030 Email: hankjr@laubacherfarms.com

Effective Date: 2-1-19

To be responsible for the allocations and fees that may result from the operation of this/these extraction facility(ies).

OWNER

I acknowledge that per Ordinance Code Section 2.4.3, owners of extraction facilities are ultimately responsible for payment of groundwater extraction charges and interest should an operator not pay.

Adela Daily Poliquin
(Print Name)

(Signature) 2/15/2019 *(Date)*

OPERATOR

Henry Laubacher Jr
(Print Name)

(Signature) 2/15/19 *(Date)*

REVISED

ENTERED 6/14/19

rev_7/28/2016

APPELLANT EXHIBIT M

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue
Ventura, CA 93009-1610
Tel: (805) 645-1372
Fax: (805) 654-3350

Groundwater Extraction Facility Registration Form

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(Please complete a Registration Form for <u>each</u> well that you own or operate and return to the FCGMA.)

Owner Information

Contact Name: Beverly Gutierrez
Business Name: Hoffman, Vana & Worthington, Inc.
Address: 1000 S. Seaward Ave.
City/State/Zip: Ventura, CA 93001
Phone # / Fax #: 805-642-0211
Email Address: laurel@hvwonline.com

Operator Information *(if different than above)*

Contact Name: Hank Laubacher
Business Name: Laubacher Farms, Inc.
Address: 421 Eastwood Dr.
City/State/Zip: Oxnard, CA 93030
Phone # / Fax #: 805-488-6191
Email Address: hankjr@laubacherfarms.com

Well Information

State Well No. (SWN): 01N21W03H03S (prev: ~~01N21W03H02~~)
Owner's Well Name/No.: RND Camarillo Ranch Partnership
State Recordation No.:
Well location/address *(provide accurate sketch)*: Pleasant Valley Road

APPELLANT EXHIBIT M RNDCAM

Jones, Kathy

From: Laurel Ritchey <laurel@hvwonline.com>
Sent: Friday, March 8, 2019 7:51 AM
To: Jones, Kathy
Cc: Gutierrez, Beverly; Riedel, Kathleen
Subject: RE: DAILY RANCH - RND Camarillo Ranch Partnership
Attachments: rnd daily new tnt.pdf

Hi Kathy,
Just checking in on the status of updating this well registration info.

Best Regards,
Laurel Ritchey
Hoffman, Vance & Worthington, Inc.
1000 S. Seaward Ave.
Ventura, CA 93001
Office (805) 642-0211

-----Original Message-----
From: Laurel Ritchey <laurel@hvwonline.com>
Sent: Thursday, February 28, 2019 10:34 AM
To: 'Jones, Kathy' <Kathy.Jones@ventura.org>
Cc: 'hankjr@laubacherfarms.com' <hankjr@laubacherfarms.com>
Subject: FW: DAILY RANCH - RND Camarillo Ranch Partnership

Hi Kathy,
Please update your files with the attached new tenant info regarding well no. 01N21W03H03S.

Best Regards,
Laurel Ritchey
Hoffman, Vance & Worthington, Inc.
1000 S. Seaward Ave.
Ventura, CA 93001
Office (805) 642-0211

-----Original Message-----
From: Dorrington, Jeff [mailto:Jeff.Dorrington@ventura.org]
Sent: Thursday, February 28, 2019 10:04 AM
To: Gutierrez, Beverly <bevg@hvwonline.com>
Cc: Riedel, Kathleen <Kathleen.Riedel@ventura.org>
Subject: RE: DAILY RANCH - RND Camarillo Ranch Partnership

Hi Beverly,

The State Well Number for the new well is 01N21W03H03S.

Jeff Dorrington
Water Resources Specialist

APPELLANT EXHIBIT M

Ventura County Watershed Protection District Groundwater Section
(805) 654-2907

-----Original Message-----
From: Riedel, Kathleen
Sent: Thursday, February 28, 2019 8:32 AM
To: Dorrington, Jeff <Jeff.Dorrington@ventura.org>
Subject: RE: DAILY RANCH - RND Camarillo Ranch Partnership

Jeff,

Please respond to Beverly's request and CC me. I did not find the new well in the GIS WRIS file loaded on my computer.

Best Regards,
Kathleen
-----Original Message-----
From: bev <bevg@hvwonline.com>
Sent: Wednesday, February 27, 2019 9:32 AM
To: Riedel, Kathleen <Kathleen.Riedel@ventura.org>
Subject: RE: DAILY RANCH - RND Camarillo Ranch Partnership

Kathleen:

Can you please assist us with identifying the new State Well No for the new Daily Well. The abandoned well was 01N21W03H02S.

Thank you.

Bev

Beverly Gutierrez
HOFFMAN, VANCE & WORTHINGTON, INC.
1000 S. Seaward Avenue
Ventura, CA 93001
bevg@hvwonline.com
(805) 642-0211

-----Original Message-----
From: bev [mailto:bevg@hvwonline.com]
Sent: Monday, February 25, 2019 4:44 PM
To: 'Riedel, Kathleen' <Kathleen.Riedel@ventura.org>
Cc: 'Laurel Ritchey ' <laurel@hvwonline.com>
Subject: FW: DAILY RANCH - RND Camarillo Ranch Partnership

Hi Kathleen,
Please see below.

Beverly Gutierrez

APPELLANT EXHIBIT M

HOFFMAN, VANCE & WORTHINGTON, INC.
1000 S. Seaward Avenue
Ventura, CA 93001
bevg@hvwonline.com
(805) 642-0211

-----Original Message-----
From: Laurel Ritchey <laurel@hvwonline.com>
Sent: Friday, February 22, 2019 2:11 PM
To: 'Jones, Kathy' <Kathy.Jones@ventura.org>
Subject: FW: DAILY RANCH - RND Camarillo Ranch Partnership

Hi Kathy,
Please see below authorization from owner.

Best Regards,
Laurel Ritchey
Hoffman, Vance & Worthington, Inc.
1000 S. Seaward Ave.
Ventura, CA 93001
Office (805) 642-0211

-----Original Message-----
From: Adele Poliquin <poliquin12ad@gmail.com>
Sent: Thursday, February 21, 2019 10:08 AM
To: Laurel Ritchey <laurel@hvwonline.com>
Cc: bev <bevg@hvwonline.com>
Subject: Re: DAILY RANCH - RND Camarillo Ranch Partnership

Hello Laurel,

Thank you for your email.

Yes, I authorize Hoffman Vance & Worthington (HV&W) to receive all information from Fox Canyon regarding the well located on the property of RND Camarillo Ranch Partnership, (APN# 230-0-061-010).

Please Cc: all correspondence to my business email for my files.

Thank you again.

Best Regards.

Adele
> On Feb 19, 2019, at 10:28 AM, Laurel Ritchey <laurel@hvwonline.com> wrote:
>
> Good Morning, Adele,
>
> Would you please reply all to this e-mail & authorize HVW to receive
> information from Fox Canyon regarding your well?
>
> Best Regards,

APPELLANT EXHIBIT M

> Laurel Ritchey
> Hoffman, Vance & Worthington, Inc.
> 1000 S. Seaward Ave.
> Ventura, CA 93001
> Office (805) 642-0211
>
>
> -----Original Message-----
> From: Jones, Kathy <Kathy.Jones@ventura.org>
> Sent: Tuesday, February 19, 2019 10:22 AM
> To: Laurel Ritchey <laurel@hvwonline.com>
> Subject: RE: DAILY RANCH - RND Camarillo Ranch Partnership
>
> Hi Laurel,
>
> I don't show Hoffman, Vance & Worthington, Inc. as the operator or
> authorized representative to receive information for this well. Please
> have the well owner provide authorization for you to operate on their
behalf.
>
> Thank you,
>
> K a t h y J o n e s | Business Process Coordinator County of Ventura
> |Public Works Agency Fox Canyon Groundwater Management Agency
> 800 S. Victoria Ave., L#1610 | Ventura, CA 93009
> Phone: (805) 645-1372 |Fax: (805) 654-3350 kathy.jones@ventura.org |
> www.fcgma.org | www.fcgmaonline.org
>
>
>
>
>
> -----Original Message-----
> From: Laurel Ritchey <laurel@hvwonline.com>
> Sent: Tuesday, February 19, 2019 9:02 AM
> To: Jones, Kathy <Kathy.Jones@ventura.org>
> Subject: RE: DAILY RANCH - RND Camarillo Ranch Partnership
>
> Hi Kathy,
>
> We have a new tenant at the RND Camarillo Ranch (APN 230-0-061-010). I
> attached their contact info.
>
> Also, we replaced well SWN 01N21W03H02S & are not sure what the new
> well number is. Attached is the well permit application as a reference
> for
you.
>
> Let me know if there is anything else we need to do to update the new
> well/new tenant info.
>
> Best Regards,

APPELLANT EXHIBIT M

> Laurel Ritchey
> Hoffman, Vance & Worthington, Inc.
> 1000 S. Seaward Ave.
> Ventura, CA 93001
> Office (805) 642-0211
>
> -----Original Message-----
> From: Adele Poliquin <poliquin12ad@gmail.com>
> Sent: Friday, June 29, 2018 7:11 AM
> To: laurel@hvwonline.com; bev <bevg@hvwonline.com>
> Subject: Re: DAILY RANCH - Fox Canyon AMI AGMT
>
> Hi Beverly and Laurel.
>
> Attached is the signed and dated Fox Canyon AIM AGMT.
>
> Regards,
>
> Adele
>
>

APPELLANT EXHIBIT N

United Water
CONSERVATION DISTRICT

WELL REGISTRATION FORM

Welcome to United Water Conservation District. The District operates under Section 74000 of the California Water Code and this Code requires that all wells within District boundaries be registered.

If the well is a new, previously unregistered well, or a title transfer of ownership or operator, please complete all information requested on this form, to the best of your ability. If you have any problems, please call United for assistance at (805) 525-4431. At your request, District field personnel are available to visit the well site and assist you in completing this registration form.

WELL NUMBER:
State Department of Water Resources Well Number: 01N21W03H035
(example: 03N22W11A33B)
State Water Resources Control Board Recordation Number (if known):
Owner's Common Name of Well (if any):

FORMER WELL OWNER:

Name:

CURRENT WELL OWNER: (If more than one party ownership, please attach a list of other owners).
Name: ADELE POLIQUIN
Address: 882 RIM CREST DRIVE
City: WESTLAKE VILLAGE State: CA Zip: 91362
Telephone: 818 577 5354 Email:

OPERATOR OF WELL OTHER THAN OWNER:
Name: HANK LAUBACHER - LAUBACHER FARMS INC
Address: 421 EASTWOOD DRIVE
City: OXNARD State: CA Zip: 93030
Telephone: 805 732-7352 Email: hankjr@laubacherfarms.com

APPELLANT EXHIBIT N

UWCD Well Registration Page 2

WELL INFORMATION

GENERAL INFORMATION

Agricultural Use
1) Crop: VEGETABLES
Acres: 275
2.) Crop: _____
Acres: _____
Pumping Season
From: (Month) JANUARY
To: (Month) DECEMBER
Domestic Use
Type of Dwellings: _____
Commercial: _____
Industrial: _____
Type of Business: _____
Number of Persons Served: _____

WELL DEPTH IN FEET

Year Well Drilled 2019
Date Well Put Into Service 2019
Depth: 920 Ft.
Static Depth: _____ Ft.
Pumping Depth: _____ Ft.
Driller's Log Available: Yes ____ No
If Driller's log is available, please include with this form.

PUMP INFORMATION

Type: DIESEL
Manufacturer: CATERPILLAR
Power: 440V _ 220V _ 110V _ 460 _
H.P. 205 HP
Efficiency Test:
By Whom: _____
Date: _____
(Please forward copy of test with this form)
Results: KWH/AF = _____
Discharge pipe size:
Inside Diameter: _____
Outside Diameter: 10"

MEASURING INFORMATION

Type of Meter: WATER SPECIALTIES
Units of Measure: AF
Discharge Pressure (PSI) _____
Pump Output: _____
Serial Number: 20151452-10

I hereby authorize United Water to mail the Semi-Annual Groundwater Statements and other associated literature directly to the well operator. (Please check one)

Yes ✓ No _____

SIGNATURE: [signature]

TITLE: PRESIDENT DATE: 7/19/19

APPELLANT EXHIBIT N

UWCD Well Registration Page 3

In the space below, please attach a Google Map image (or photocopy of map) of the well location and the property parcel. Please provide the United States Public Land Survey Numbers to show the section, township and range and the Property Parcel Number (APN): 230-0-061-010

PLEASE FURNISH NAMES OF STREETS, ROADS, AND/OR LANDMARKS ON SKETCH OF WELL LOCATION

NORTH

WEST **EAST**

SOUTH

Please place an X on the map to indicate the well's location on the property. If Public Land Survey data is not available, please make a sketch to show the well location with relationship to local roads, streets, survey corners, property lines or other identifying features.

APPELLANT EXHIBIT N

BURKE, BURK, RNDCAM, LAUB

APPELLANT EXHIBIT O

RECEIVED
SEP 23 2019
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

Received Initial JH
Check No. 12808 Date 9/19/19
Amount of Check $ 7,887.84

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura CA, 93009
Phone (805) 645-1372 Fax (805) 654-3350
Email fcgma.report@ventura.org Web http://www.fcgma.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM
Primary Use: AG

Semi-Annual Code: 2018/19-2
Statement Number: SAES-2019-1-047396

Reporting Period: January 1, 2019 - July 31, 2019

Contact: **Hank Laubacher**
Well Operator: **Laubacher Farms, Inc.**
Address: **421 Eastwood Dr.**
City State Zip: **Oxnard CA 93030**
Telephone: **8054886191**
Email: **hankjr@laubacherfarms.com**

Due Date : 09/29/2019

Please carefully fill out fields 1-17, and return this form with required payment by the due date (postmarked by due date is O.K.). If returned late, you are required to self-assess interest on any unpaid extraction charges (Field 7 plus Field 9), and self-assess late penalty on any unpaid surcharges (Field 10). Do this by multiplying those by 1.5% times the number of whole months the payment is past due.

Pursuant to 2004 and 2006 amendments to the California Water Code Section, all groundwater extractions are reported to the State Water Resources Control Board by the FCGMA or its appointees. No additional fee is charged for this reporting. Your records will be made available to other governmental agencies and to the public, pursuant to Sections 5009(e)(4) and 5009(c) respectively of the California Water Code.

State Well Number	Meter S/N	Current Meter	1 Flow Meter Readings Current	- Previous	2	3 = Difference	4 x Mult.	5 / Div.	6 AF Extraction
RND Cam Ranch: 01N21W03H03									
Active	20151452-10	☐	55,533	51,605		3928	0.0100	1	39.28
							Total Extraction (AF):		

**** PLEASE CALCULATE ACRE-FEET (AF) TO THE 3rd DECIMAL PLACE ****
If you get 50.0019 AF, correct entry = 50.002 AF
OR
If you get 55.0014 AF, correct entry = 55.001 AF

****NEW REQUIREMENT****
Effective 2019-1 reporting period, FCGMA requires photographs of all meter readings to be submitted with Semi-Annual Extraction Statements (SAES). This applies to all wells required to have a meter in accordance with Agency Ordinance Code.
Photo should include Meter Face with Meter Totalizer Reading.
Mail photos with SAES, Upload to www.fcgmaonline.org, or Email to: fcgma.report@ventura.org

ENTERED 9/25/19 JH

APPELLANT EXHIBIT O

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura CA, 93009
Phone (805) 645-1372 Fax (805) 654-3350
Email fcgma.report@ventura.org Web http://www.fcgma.org

SEMI-ANNUAL GROUNDWATER EXTRACTION STATEMENT

Comb Code: RNDCAM
Primary Use: AG

Semi-Annual Code: 2018/19-2
Statement Number: SAES-2019-1-047396

Reporting Period: January 1, 2019 - July 31, 2019

Fees

7	**Previous Balance:**	$	0.00
8	**Sustainability Fee:** [Total from Box 6: 39.28 AF x $6.50]	+$	255.32
9	**Extraction Charge:** [Total from Box 6: 39.28 AF x $6.00]	+$	235.68
10	**Surcharge:** [Exceedance: _____ AF] (See Surcharge Rates for breakdown)	+$	

Complete this section ONLY if past the due date (09/29/2019).

11	**Extraction Interest Charge:** [Extraction charge x 1.5% x month(s) overdue]	+$	
12	**Surcharge Late Penalty:** [Surcharge x 1.5% x month(s) overdue]	+$	
13	**Civil Penalty:** [$50.00 x day(s) overdue]	+$	
14	**Amount Waived:**	- $	
15	**Total Amount Due:** [Total of lines 7 through 14]	=	491.00
16	**Total Amount Enclosed:**		491.00

Please make payments to:
Fox Canyon Groundwater Management Agency
800 South Victoria Ave.
Ventura, CA 93009-1610

Include CombCode in memo line of check payment.

Overpumping Surcharge Rates

Start (AF)	End (AF)	Charge Per AF
0.00	25.000	$1,461.00
25.00	99.999	$1,711.00
100.00	> 100.000	$1,961.00

Irrigation Allowance

Crop Year 2018/2019 IAI Application Status: N/A.

Irrigation Allowance Index (IAI): N/A

To calculate surcharges due, if any, please enter the data from your Irrigation Allowance Index (IAI) Application in the table below.

	Acre-Feet
Water Applied:	101.006
Irrigation Allowance:	- 386.61
IAI Exceedance:	=

Agency-Wide Cap Calculation
(For Office Use Only)

Water Application:	AF/A
Agency-Wide Cap:	AF/A
Cap Exceedance:	**AF**

If after your submitted Irrigation Allowance Index (IAI) Application is reviewed, it is determined that the extractions from an Agricultural Extraction Facility are in excess of the Irrigation Allowance for 'Nursery (Greenhouse)', a surcharge will be assessed in accordance with Section 5.8.5.1 of the Ordinance Code.

Statement and Payment due by 09/29/2019. Failure to return this form and/or remit full payment by the due date shall make you subject to a civil penalty of $50 per day.

You may submit your statement online at https://www.fcgmaonline.org.

I declare under penalty of perjury that this Semi-Annual Groundwater Extraction Statement has been examined by me, and to the best of my knowledge and belief is a true, correct and complete statement.

17 Print Name: HENRY LAUBACHER

Date: 9/15/2019

Signature: [signature]

THIS STATEMENT IS NOT COMPLETE UNLESS ALL QUESTIONS ARE ANSWERED AND SIGNATURE PROVIDED.

APPELLANT EXHIBIT O

RECEIVED
SEP 23 2019
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

800 S. Victoria Avenue, Ventura, CA 93009 - 1610
Phone (805) 645-1372 Fax (805) 654-3350
Websites www.fcgma.org OR www.fcgmaonline.org

ENTERED 9/25/19 JH

Annual Application for Efficiency Allocation

[Irrigation Allowance Index Method]

(Effective August 1, 2014)

Crop Year 2018/2019 (August 1, 2018 - July 31, 2019)

FCGMA CombCode: RNDCAM

What is your ETO Zone (see attached map)? ZONE 2 Year Type: WET

Please complete the following tables for ALL water applied to irrigate your crops:

Groundwater Wells (List ALL State Well Nos.)	Extractions in Acre-feet: Aug - Dec		Jan - Jul		Yearly Total
01N21W03H03	0	+	39.28	=	39.28
		+		=	
		+		=	
		+		=	
		+		=	

Total Volume from Wells = 39.28 ①

Water Purveyor (Examples: UWCD and PVCWD)	Turnout No. / Meter No.	Deliveries in Acre-feet: Aug - Dec		Jan - Jul		Yearly Total
PVCWD	P-3C	0	+	61.726	=	61.726
			+		=	

Total Volume from Purveyor = 61.726 ②

Other Source: (Example: Neighbor's well with SWN)	Volume in Acre-feet: Aug - Dec		Jan - Jul		Yearly Total
		+		=	
		+		=	

Total Volume from Other Sources = ③

WATER APPLIED equals the sum of the total volume ①+②+③ = 101.006 ④

WATER APPLIED

Please complete tables for ALL irrigated acreage, crop categories & Irrigation Allowance:

Seasonal Crops (List specific crop category from Crop Irrigation Allowance table)	# of Irrigated Acres		Irrigation Allowance per Acre*		% Complete for Crop Year		Irrigation Allowance per crop type
YEAR RND VEGGIES (GOOD)	263	x	3.5	x	41 %	=	386.61
		x		x	%	=	
		x		x	%	=	
		x		x	%	=	

Total Seasonal Crop Irrigation Allowance = 386.61 ⑤

Annual & Year-Round Crops (List specific crop category from Crop Irrigation Allowance table)	# of Irrigated Acres		Irrigation Allowance per Acre*		# of Irrigated Months in Crop Year		Months per Year		Irrigation Allowance per crop type
		x		x		/	12	=	
		x		x		/	12	=	
		x		x		/	12	=	
		x		x		/	12	=	

Total Annual Crop Irrigation Allowance = ⑥

TOTAL IRRIGATION ALLOWANCE

*Irrigation Allowance/acre from FCGMA Crop Year Irrigation Allowance table (included).

Total Seasonal Crop Irrigation Allowance	⑤	386.61
+		
Total Annual Crop Irrigation Allowance	⑥	0
=		
Total Irrigation Allowance	⑦	④ 386.61 ⑦

Irrigation Allowance Index (IAI) = WATER APPLIED divided by TOTAL IRRIGATION ALLOWANCE :

Irrigation Allowance Index (IAI) = ④ 101.006 / ⑦ 386.61 = 262 *(Rounded to the nearest tenth)*

Irrigated Acres is > APN Acres

Total Acres Irrigated	=	263

Note: Required to determine if your water application exceeded the Agency-Wide cap.

Aren't sure how to calculate your Irrigated Acres? Use the "Example Calculations..." located on the Irrigation Allowance Index page of the Agency's website.

APPELLANT EXHIBIT O

Annual Application for Efficiency Allocation

[Irrigation Allowance Index Method]

(Effective August 1, 2014)

Crop Year 2018/2019 (August 1, 2018 - July 31, 2019)

Assessor's Parcel Information

Please list **ALL** Assessor's Parcel Numbers for **ALL** irrigated acres, regardless of ownership, that are being supplied water by the groundwater well(s), water purveyor(s) and other sources with which this Annual Application for Efficiency Allocation represents.

List the first nine (9) digits of each Assessor's Parcel Number (APN) below (remove the last digit).

(Example: Your APN is 100-0-040-035 so you would list 100-0-040-03.)

(1) 230-0-061-01 (5) _____

(2) _____ (6) _____

(3) _____ (7) _____

(4) _____ (8) _____

Please include a map that clearly identifies the well location(s) and irrigated acres by crop category. We recommend you use the GIS Mapping Tool for this step.

Note: The GIS Mapping Tool can be found on the Irrigation Allowance Index page of the Agency's website.

The map must identify the following:
(1) Assessor's Parcel No(s).
(2) Well Location(s)
(3) Irrigated Acres by Crop Category

Complete documentation, including calculations, on water applied (groundwater well(s), water purveyor(s) and other sources) and Irrigation Allowance for the current year is required. Failure to submit complete documentation may result in denial of this application and a surcharge or assessment of a civil penalty per Resolution No. 2013-01.

"I declare under penalty of perjury under the laws of the State of California that the information contained in this application is true and correct."

LAUBACHER FARMS INC — Well Operator Name (please print)

PRESIDENT — Title

Well Operator Signature

9/15/2019 — Date

Application for Efficiency Allocation Checklist:

☐ Completed/Signed Application (pages 1-2)

☐ Map(s) clearly identifying the well location(s) AND the irrigated acres by crop category

(For Office Use Only)

Executive Officer Approval:

☐ Approved

☐ Returned for Corrections

☐ Denied

FCGMA Stamp

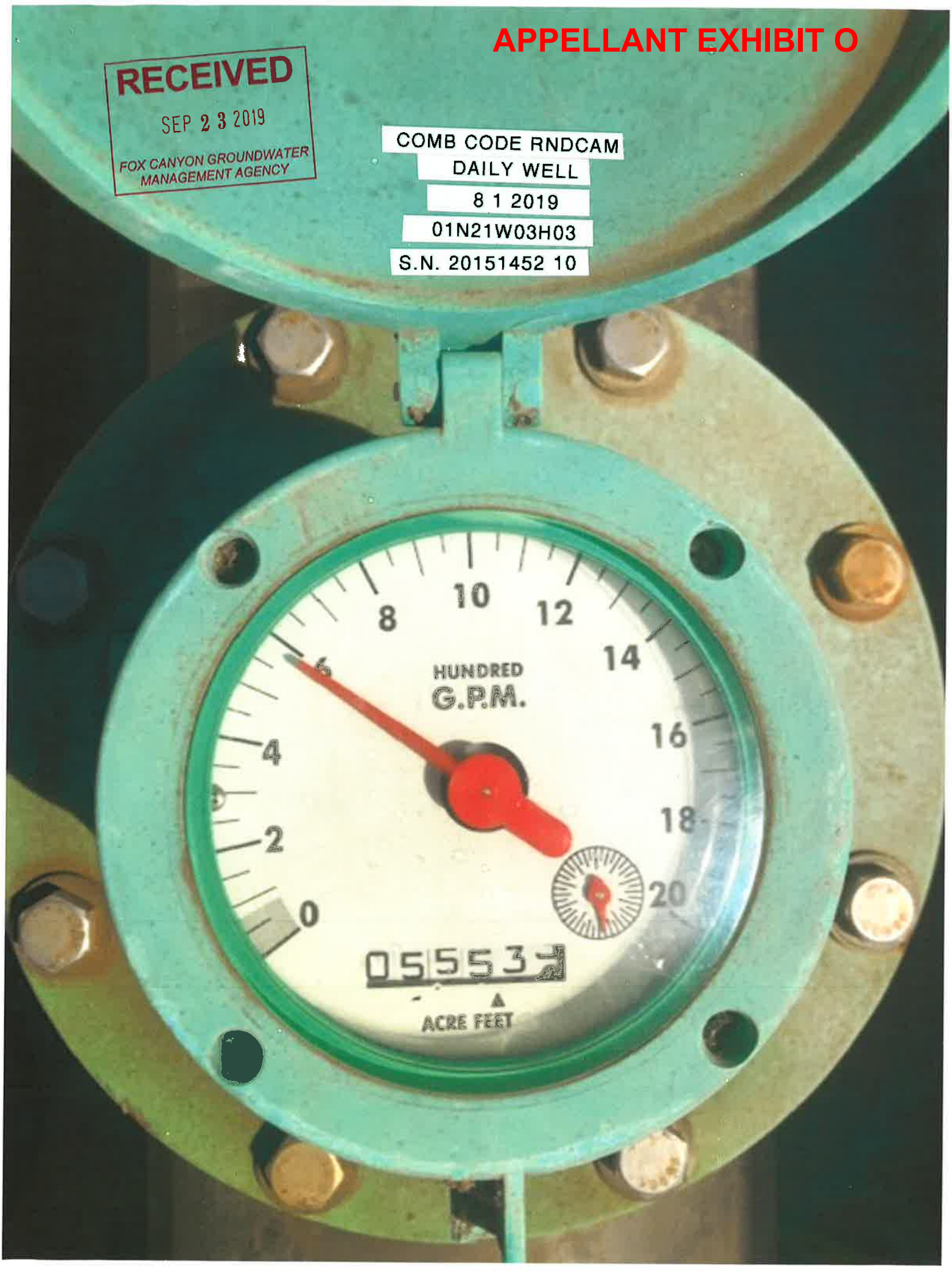
APPELLANT EXHIBIT O

APPELLANT EXHIBIT O

APPELLANT EXHIBIT O

RECEIVED
SEP 23 2019
FOX CANYON GROUNDWATER MANAGEMENT AGENCY

COMB CODE RNDCAM
DAILY WELL
8 1 2019
01N21W03H03
S.N. 20151452 10



APPELLANT EXHIBIT O

APPELLANT EXHIBIT P

CONV-1A

File # 302019217001

State of California
Secretary of State

Certificate of Conversion

FILED
Secretary of State
State of California
SEP 18 2019

IMPORTANT — Read all instructions before completing this form.

This Space For Filing Use Only

Converted Entity Information

1. Name of Converted Entity
R.N. Daily Ranch, LLC

2. Form of Entity
Limited Liability Company

3. Jurisdiction
Delaware

4. Mailing Address of Chief Executive Office | City | State | Zip Code

5. Street Address of Chief Executive Office - *Do not list a P.O. Box*
882 Rim Crest Drive, | Westlake Village | CA | 91361

6. Street Address of the California Office, if any - *Do not list a P.O. Box*
882 Rim Crest Drive, | Westlake Village | CA | 91361

7. If the converting entity is a California corporation, limited liability company, limited partnership or general partnership, you must designate an agent for service of process: Item 7a: List the name of an individual or a corporation registered in CA under California Corporations Code section 1505 that agrees to be your agent for service of process. You may not list the converted entity as the agent. Item 7b: If the agent is an individual, list the agent's business or residential street address. Item 7c: If the agent is an individual, list the mailing address of the converted entity's agent. Do not list an address if the agent is a California registered corporate agent as the address for service of process is already on file.

a. Name of Agent For Service of Process
Adele D. Poliquin

b. If an individual, Street Address of Agent for Service of Process - *Do not list a P.O. Box* | City | State | Zip Code
882 Rim Crest Drive | Westlake Village | CA | 91361

c. If an individual, Mailing Address of Agent for Service of Process | City | State | Zip Code
882 Rim Crest Drive | Westlake Village | CA | 91361

Converting Entity Information

8. Name of Converting Entity
RND Camarillo Ranch Partnership

9. Form of Entity
General Partnership

10. Jurisdiction
California

11. CA Secretary of State File Number, if any
302019217001

12. The principal terms of the plan of conversion were approved by a vote of the number of interests or shares of each class that equaled or exceeded the vote required. If a vote was required, the following was required *for each class:*

The class and number of outstanding interests entitled to vote, AND The percentage vote required of each class.

Additional Information

13. Additional information set forth on the attached pages, if any, is incorporated herein by this reference and made part of this certificate.

14. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge. I declare I am the person who executed this instrument, which execution is my act and deed.

Date

Signature of Authorized Person

See attached signature page
Type or Print Name and Title of Authorized Person

Signature of Authorized Person

Type or Print Name and Title of Authorized Person

CONV-1A (REV 10/2018) APPROVED BY SECRETARY OF STATE

APPELLANT EXHIBIT P

302019217001

CERTIFICATE OF CONVERSION

RND Camarillo Ranch Partnership

Signature Page

14. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge. I declare I am the person who executed this instrument, which execution is my act and deed.

Date: September 13, 2019

Signatures of Authorized Persons

Adele D. Poliquin,

Trustee of the Enid Daily Trust FBO Richard N. Daily dated January 24, 1970, as amended, Partner

Adele D. Poliquin,

Trustee of the Richard N. Daily Separate Property Trust dated May 25, 1995, as amended, Partner

AN ORDINANCE TO ESTABLISH AN ALLOCATION SYSTEM FOR THE OXNARD AND PLEASANT VALLEY GROUNDWATER BASINS

Adopted October 23, 2019

Last Amended March 24, 2021

ARTICLE 1. FINDINGS

1.1. The Pleasant Valley Groundwater Basin and Oxnard Groundwater Subbasin (collectively, "the Basins") are located within Fox Canyon Groundwater Management Agency ("Agency") and have been designated by the California Department of Water Resources as high priority groundwater basins that are subject to critical conditions of overdraft.

1.2. The Agency is required under the Sustainable Groundwater Management Act ("SGMA") to manage the Basins under a groundwater sustainability plan by January 31, 2020.

1.3. The groundwater sustainability plan must include an estimate of the sustainable yield for the Basins.

1.4. Based on current projections, the sustainable yield of the Basins will be less than recent average annual groundwater extractions from the Basins.

1.5. The 10-year period prior to January 1, 2015, the date SGMA became effective, includes a complete climate cycle and is representative of annual average precipitation, groundwater extractions from the Basins and deliveries of surface water from the Santa Clara River through United Water Conservation District's Pleasant Valley Pipeline and Pumping Trough Pipeline in lieu of groundwater extractions from the Basins. During the 10-year period, these in lieu deliveries averaged 15,600 acre-feet annually and consisted of surface water that otherwise would have been used for groundwater recharge.

1.6. During the 10-year period prior to January 1, 2015, the Conejo Creek Project supplied an average of 4,978 acre-feet of surface water annually to Pleasant Valley County Water District for agricultural use which otherwise could have been supplied by pumping groundwater from the Basins. During that period, there was a corresponding decrease in groundwater use within Pleasant Valley's service area.

1.7. The adoption of this ordinance is a necessary step in the transition from the Agency's current groundwater management programs to sustainable groundwater management under SGMA. As part of that transition, the Agency intends to move from a wellhead-based to a land-based allocation system; however, implementation of that change is not feasible until such time as the Agency has developed sufficient parcel-based water-use data to allow for effective regulation of extractions on that basis.

1.8. The measures set forth in this ordinance are necessary to improve and protect the quantity and quality of groundwater supplies within the Basins.

1.9. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Water Code section 10728.6 and CEQA Guidelines sections 15061(b)(3), 15307 and 15308.

1.10. The extraction allocations established under this ordinance are consistent with the land use elements of the applicable general plans to the extent that there is sufficient sustainable yield in the Basins to serve the land use designations therein.

ARTICLE 2. PURPOSE

The purpose of this ordinance is to facilitate adoption and implementation of the groundwater sustainability plan and to ensure that the Basins are operated within their sustainable yields. It is not the purpose of this ordinance to determine or alter water right entitlements, including those which may be asserted pursuant to California Water Code sections 1005.1, 1005.2 or 1005.4.

ARTICLE 3. PERIODIC REVIEW PROCEDURE

The Board will periodically review the effectiveness of this ordinance toward meeting its purpose. This review shall occur at least once every five years. If necessary, this ordinance will be amended to ensure that the sustainability goals of the groundwater sustainability plans are met.

ARTICLE 4. DEFINITIONS

4.1 "Agency" shall mean the Fox Canyon Groundwater Management Agency.

4.2 "Agricultural Operator" shall mean an owner or operator of an extraction facility used to produce groundwater for use on lands in the production of plant crops or livestock for market and uses incidental thereto.

4.3 "Assessor's Parcel Map" shall mean an official map designating parcels by Assessor's Parcel Number.

4.4 "Assessor's Parcel Number" shall mean the number assigned to a parcel by the County of Ventura for purposes of identification.

4.5 "Base Period" shall mean calendar years 2005 through 2014.

4.6 "Base-Period Conejo Creek Deliveries" shall mean the average annual amount of Conejo Creek Water Deliveries during the base period.

4.7 "Base-Period Extraction" shall mean the average annual groundwater extraction based on reported extractions during the base period, excluding any extractions that incurred surcharges.

4.8 "Base-Period PTP Deliveries" shall mean the average annual amount of PTP deliveries during the base period as reported to the Agency by United.

4.9 "Base-Period PV Deliveries" shall mean the average annual amount of PV deliveries during the base period as reported to the Agency by United.

4.10 "Basins" shall mean the Pleasant Valley Groundwater Basin and the Oxnard Groundwater Subbasin.

4.11 "Board" shall mean the Board of Directors of the Agency.

4.12 "Conejo Creek Project" shall mean the Conejo Creek Diversion structure and appurtenances owned and operated by Camrosa Water District through which recycled water discharged from the Hill Canyon Wastewater Treatment Plant is diverted from Conejo Creek for delivery to Camrosa Water District and Pleasant Valley.

4.13 "Conejo Creek Water Deliveries" shall mean deliveries of water to Pleasant Valley from the Conejo Creek Project.

4.14 "Executive Officer" shall mean the individual appointed by the Board to administer Agency functions or his/her designee.

4.15 "Extraction Allocation" shall mean the amount of groundwater that may be obtained from an extraction facility during a given water year before a surcharge is imposed.

4.16 "Extraction Facility" shall mean any device or method (e.g. water well) for extraction of groundwater within the Basin.

4.17 "Groundwater Sustainability Plan" shall mean the plan or plans, and any amendment thereof, developed and adopted by the Agency for the Basins in accordance with SGMA.

4.18 "Management Area" shall mean an area within the Basins for which the groundwater sustainability plan may identify different minimum thresholds, measurable objectives, monitoring or projects and management actions in accordance with regulations adopted pursuant to chapter 10 of SGMA.

4.19 "Municipal and Industrial Operator" shall mean an owner or operator that supplied groundwater for domestic, industrial, commercial or other non-agricultural use.

4.20 "Municipal and Industrial (M&I) Use" shall mean any use other than agricultural irrigation.

4.21 "Mutual Water Company" shall mean a corporation organized for, or engaged in the business of, selling, distributing, supplying, or delivering water to its stockholders and members at cost for irrigation purposes or for M&I use.

4.22 "O-H Pipeline" means the water distribution system operated by United that supplies groundwater to contractors under the O-H Pipeline Agreement.

4.23 "O-H Pipeline Agreement" means the Water Supply Agreement for Delivery of Water Through the Oxnard/Hueneme Pipeline dated July 1, 1996, and any amendment thereto.

4.24 "Operator" shall mean a person operating an extraction facility. The owner of an extraction facility shall be conclusively presumed to be the operator unless a satisfactory showing is made to the Agency that the extraction facility actually is operated by some other person.

4.25 "Owner" shall mean a person owning an extraction facility or an interest in an extraction facility other than a lien to secure the payment of a debt or other obligation and shall include any mutual water company and incorporated ownership.

4.26 "Parcel" shall mean a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

4.27 "Person" shall mean any state or local governmental agency, private corporation, firm, partnership, individual, group of individuals, or, to the extent authorized by law, any federal agency.

4.28 "Pleasant Valley" shall mean Pleasant Valley County Water District.

4.29 "Pleasant Valley's Service Area" shall mean all lands shown on the map of the boundaries of Pleasant Valley on file with the Ventura Local Agency Formation Commission.

4.30 "PTP Deliveries" shall mean deliveries of surface water from the Santa Clara River through United's Pumping Trough Pipeline.

4.31 "PV Deliveries" shall mean deliveries of surface water from the Santa Clara River through United's Pleasant Valley Pipeline.

4.32 "Sustainable Groundwater Management Act" or "SGMA" shall mean Part 2.74 of Division 6 of the California Water Code, sections 10720 et seq.

4.33 "Sustainable Yield" shall mean the maximum quantity of water that can be withdrawn annually from the Basins as provided in the groundwater sustainability plan.

4.34 "United" shall mean United Water Conservation District.

4.35 "Water Market" shall mean a program which, by ordinance, allows the transfer of extraction allocations through a market administered by or on behalf of the Agency.

4.36 "Water Purveyor" shall mean a mutual water company, special district, or municipality that supplies groundwater to others for agricultural or municipal and industrial use.

4.37 "Water Year" shall mean the period from October 1 of one calendar year through September 30 of the following calendar year.

ARTICLE 5. GENERAL PROVISIONS

5.1 Notwithstanding any other Agency ordinance provision to the contrary, including article 2 of Emergency Ordinance E, the Executive Officer shall establish an operator's extraction allocation for each extraction facility located within the Basins as set forth herein. The alternative extraction allocations authorized under section 5.6 of the Agency Ordinance Code shall not be available to an operator for extracting groundwater from the Basins. Except as expressly provided herein, the provisions governing extraction allocations set forth in section 5.2 of the Agency Ordinance Code shall apply to groundwater extractions from the Basins.

5.2 Except as provided in section 5.5, an extraction allocation established under this ordinance is assigned to an extraction facility. An operator with more than one extraction facility in the same groundwater basin may combine the extraction allocations for the individual facilities. If the groundwater sustainability plan creates one or more management areas within the Basins, the Board may limit the ability to combine extraction allocations assigned to extraction facilities in different management areas. Limitations on combining extraction facilities in different management areas shall be set forth in a Resolution adopted by the Board based on a determination that the limitation is necessary in order to implement the groundwater sustainability plan.

5.3 Except as provided in section 5.7, all extraction allocations in excess of an allocation established by the ordinance shall be subject to extraction surcharges in the same manner as provided in the Agency Ordinance Code for extractions that exceed the historical and/or baseline allocation.

5.4 Extraction allocations may be transferred or temporarily assigned only as provided in article 9 of this ordinance.

5.5 The extraction allocation assigned to extraction facilities operated by United to supply water through the O-H Pipeline is "held in trust [by United] for Any or All Contractors" as a "Suballocation" as those terms are defined in the O-H Pipeline Agreement. Upon termination of or withdrawal of any party from the O-H Pipeline Agreement, the distribution of the extraction allocation assigned to the O-H Pipeline extraction facilities shall be decided by mutual agreement of United and the affected parties or as determined by a court. Notwithstanding any such agreement or court determination or the O-H Pipeline Agreement, the extraction allocation assigned to the O-H Pipeline extraction facilities shall be subject to all applicable Agency rules and regulations for the use and adjustment of extraction allocations, including chapter 5 of the Agency Ordinance Code, and to any allocation reductions implemented in accordance with article 10 of this ordinance.

5.6 In the event of a local, State, or Federal declaration of emergency with the potential to affect water supplies within the Agency, at the next scheduled meeting, the Board will consider whether to allow an operator to request an adjustment of the extraction allocation as a result of the emergency. The information required in support of the request will be set forth in a Resolution adopted by the Board.

5.7 For the water year beginning October 1, 2020, and ending September 30, 2021, extraction surcharges shall be imposed on extractions that exceed the greater of: (a) the allocation established by this ordinance; or (b) an operator's reported extractions which did not incur surcharges in calendar year 2018 for municipal and industrial and domestic operators, and in Crop Year 2017/18 for agricultural operators.

ARTICLE 6. INITIAL ALLOCATIONS

6.1 Until such time as the reductions described in article 10 are implemented and except as otherwise provided in this article, an operator's extraction allocation shall be the base-period extraction as reported to the Agency pursuant to chapter 2 of the Agency Ordinance Code. The extraction allocation established under this section is called "base-period allocation."

6.1.1 In recognition of the use of surface water from the Conejo Creek Project and the corresponding reduction in total agricultural extractions within Pleasant Valley's service area during the base period, Pleasant Valley's base-period allocation shall be increased in an amount equal to base-period Conejo Creek water deliveries, subject to the adjustment described in subsection 6.1.1.1.

6.1.1.1 Pleasant Valley shall include in the Semi-Annual Extraction Statement required under section 2.3 of the Agency Ordinance Code a report on the use of Conejo Creek water during the reporting year. In each year in which Pleasant Valley receives Conejo Creek water deliveries, its base-period allocation for that year shall be reduced in an amount equal to the Conejo Creek water deliveries during the year.

6.1.1.2 The Board may transfer a portion of the allocation established under subsection 6.1.1 from Pleasant Valley to an operator of an extraction facility located within Pleasant Valley's service area upon a showing that the operator reduced extractions during the base period as a result of taking deliveries from Pleasant Valley. The transfer will avoid a windfall allocation that may otherwise result under subsection 6.1.1 of this ordinance and shall be subject to the procedures set forth in subsection 5.3.9 of the Agency Ordinance Code.

6.2 In order to encourage the coordinated use of groundwater from the Basins and surface water supplies from the Santa Clara River while eliminating overdraft and maintaining the sustainability goals established under SGMA, Pleasant Valley and United may increase groundwater use in years when these surface water supplies are less than normal, provided that a corresponding reduction in extractions occurs in years when surface water supplies from the Santa Clara River are more abundant. The coordinated use of these water supplies shall be implemented through adjustments to the extraction allocation as provided in this section. This extraction allocation flexibility is called "Santa Clara River Water Flex Allocation."

6.2.1 Santa Clara River Water Flex Allocation

6.2.1.1 In any year in which the volume of surface water available for PV deliveries is less than base-period PV deliveries, Pleasant Valley's base-period allocation for that year shall be increased in an amount equal to the shortfall in available PV deliveries. The extraction allocation available under this subsection shall be subject to any allocation reductions implemented in accordance with article 10 of this ordinance.

6.2.1.2 In any year in which the volume of surface water available for PV deliveries exceeds base-period PV deliveries, Pleasant Valley's base-period allocation for that year shall be reduced by the amount of excess available PV deliveries. In order to provide a minimum extraction allocation during periods when PV deliveries are not available, Pleasant Valley's allocation shall not be reduced below 50 percent of Pleasant Valley's base-period extraction. The minimum extraction allocation available under this subsection shall not be eligible for carryover under article 8 of this ordinance.

6.2.1.3 Surface water shall be deemed available for PV deliveries as demonstrated in an annual report to be submitted by United pursuant to subsection 6.2.1.8. In any year in which Pleasant Valley does not make full use of the surface water available for PV deliveries, Pleasant Valley's base-period allocation for that year shall be reduced by the amount of available surface water not taken by Pleasant Valley.

6.2.1.4 In any year in which the volume of surface water available for PTP deliveries is less than base-period PTP deliveries, United's base-period allocation for that year shall be increased in an amount equal to the shortfall in available PTP deliveries. The extraction allocation available under this subsection shall be subject to any allocation reductions implemented in accordance with article 10 of this ordinance.

6.2.1.5 In any year in which the volume of surface water available for PTP deliveries exceeds base-period PTP deliveries, United's base-period allocation for that year shall be reduced by the amount of excess available PTP deliveries. In order to provide a minimum extraction allocation during periods when PTP deliveries are not available, United's allocation shall not be reduced below 50 percent of United's base-period extraction. The minimum extraction allocation available under this subsection shall not be eligible for carryover under article 8 of this ordinance.

6.2.1.6 Surface water shall be deemed available for PTP deliveries as demonstrated in an annual report to be submitted by United pursuant to subsection 6.2.1.8. In any year in which United does not make full use of the surface water available for PTP deliveries, United's base-period allocation for that year shall be reduced by the amount of available surface water not used by United.

6.2.1.7 To provide Pleasant Valley and United with the operational flexibility to respond to annual variations in the availability of Santa Clara River water, any surcharge for excess extractions that would otherwise be assessed annually shall be determined at the end of each five-year period following the operative date of

this ordinance. Surcharges for any excess extractions shall be assessed as provided in sections 6.3 and 6.4.

6.2.1.8 United shall submit an annual report on its diversion of Santa Clara River water during the preceding water year. The report shall state the total volume of river diversions, the total volume of surface water made available for PTP deliveries and PV deliveries and the total volume put to other uses. The report shall state these volumes in acre-feet, supported by meter readings, and include such other information determined by the Executive Officer to be reasonably necessary to carry out the intent of this article.

6.2.2 Pleasant Valley and United shall include in the Semi-Annual Extraction Statement required under section 2.3 of the Agency Ordinance Code a report on the use of Santa Clara River water and the resulting Santa Clara River Water Flex Allocation for the reporting year.

6.3 Pleasant Valley shall be subject to surcharges on extractions in excess of cumulative base-period allocations, as adjusted in accordance with this article, during the preceding five-year period. If excess extractions occur, Pleasant Valley shall be deemed to have exceeded the extraction allocation in each of the preceding five years. A surcharge assessed under this section shall be due and payable within 30 days of issuance of a notice of imposition of surcharges.

6.4 United shall be subject to surcharges on extractions in excess of cumulative base-period allocations, as adjusted in accordance with this article, during the preceding five-year period. If excess extractions occur, United shall be deemed to have exceeded the extraction allocation in each of the preceding five years. A surcharge assessed under this section shall be due and payable within 30 days of issuance of a notice of imposition of surcharges.

ARTICLE 7. ADDITIONAL REQUIREMENTS FOR REPORTING EXTRACTIONS

In order to facilitate a transition from a wellhead-based to a land-based allocation system, operators in the Basins shall comply with the following reporting requirements in addition to those specified in the Agency Ordinance Code.

7.1 Agricultural operators not subject to section 7.2 shall report the following:

7.1.1 Each assessor's parcel number being supplied with groundwater produced by the operator's extraction facility;

7.1.2 The number of irrigated acres within each parcel; and

7.1.3 The source of all water used to irrigate those lands.

7.2 Mutual water companies, special districts and municipalities supplying groundwater or in lieu deliveries for agricultural use shall report the following:

7.2.1 Total volume of water from each source being supplied by the mutual water company, special district, or municipality;

7.2.2 Location and identifier of each agricultural turnout and meter owned by the mutual water company, special district, or municipality and located within the Basins or Agency boundary;

7.2.3 Monthly water deliveries to and meter readings from each agricultural turnout located within the Basins or Agency boundary:

7.2.4 Monthly water deliveries to areas outside the Basins or Agency boundary;

7.2.5 List of assessor's parcel numbers served by each agricultural turnout and meter located within the Basins or Agency boundary, and list assessor's parcel numbers (or GIS shape file) served by the mutual water company, special district or municipality outside the Basins or Agency boundary; and

7.2.6 Customer name associated with each parcel located within the Basins or Agency boundary.

7.3 Mutual water companies, special districts and municipalities supplying groundwater or in lieu deliveries for municipal and industrial use shall report the following:

7.3.1 Total volume of water from each source being supplied by the mutual water company, special district, or municipality;

7.3.2 Monthly water deliveries for all water being supplied by the mutual water company, special district, or municipality; and

7.3.3 List of assessor's parcel numbers (or a GIS shape file) served by the mutual water company, special district, or municipality.

7.4 Domestic and municipal and industrial well operators shall report the following:

7.4.1 Each assessor's parcel number being supplied with groundwater produced by the operator's extraction facility.

ARTICLE 8. ALLOCATION CARRYOVER

Except as otherwise provided and subject to the provisions of this article, an unused extraction allocation may be carried over for use in a subsequent water year. A maximum of fifty percent of an extraction allocation shall be available for carry over. The first water extracted during any year shall be deemed to be an exercise of the carryover authorized by this article. The cumulative allocation carryover shall not exceed one hundred percent of an extraction allocation. An unused carryover extraction allocation is not transferable between operators, except in an Agency-approved water market, and shall expire five (5) years after it was accrued. Annual allocation carryover for extraction facilities combined under a single operator in accordance with section 5.2 shall be evenly divided

among the combined extraction facilities. The Board may limit the use of carry over allocations consistent with the provisions of the groundwater sustainability plan, provided that any such limitation shall be imposed on all operators on an equal basis.

ARTICLE 9. ALLOCATION TRANSFERS

9.1 Allocation transfers may be necessary to provide flexibility during and after the transition from the Agency's current groundwater management program to sustainable groundwater management under SGMA. Notwithstanding section 5.3 of the Agency Ordinance Code, transfers of allocation established under this ordinance shall comply with the provisions of this article or be allowed under an Agency-approved water market.

9.2 Upon adoption of the groundwater sustainability plan, and except as otherwise provided, transfers or temporary assignments of an extraction allocation are authorized provided the Agency finds that it does not impede achievement of the sustainability goals of the groundwater sustainability plan and would not be detrimental to an Agency-approved water market. In making this determination, the Agency shall, at a minimum, consider the location of the extraction facilities, the total quantity of groundwater extracted in any year, groundwater quality impacts of the transfer and whether the proposed transfer or temporary assignment could be approved under an Agency-approved water market. Requests for the transfer or temporary assignment of extraction allocations shall be submitted jointly by the operators and owners involved and shall include the specific details of their proposal. To ensure consistency with the sustainability goals of the groundwater sustainability plan, transfers or temporary assignments of an extraction allocation shall be subject to conditions as determined by the Executive Officer. A temporary assignment of allocation shall not exceed one year.

9.3 Where there is a sale or transfer of a part of the acreage served by any extraction facility, the extraction allocation for that facility shall be equitably apportioned between the real property retained and the real property transferred by the owner of the extraction facility. This apportionment shall be approved by the Executive Officer who may modify the apportionment to assure equity.

9.4 When irrigated acreage changes to M&I use, the extraction allocation used to irrigate the acreage shall be transferred from the agricultural operator to the M&I operator on a one-to-one basis.

9.5 Transfers or temporary assignments of allocations between extraction facilities located within the same groundwater basin shall be considered for approval by the Executive Officer. All other requests for transfers or temporary assignments shall be submitted to the Board for approval.

ARTICLE 10. REDUCTION OF ALLOCATIONS

10.1 If the sustainable yield is less than the total extraction allocations established in article 6, then extraction allocations, adjusted or otherwise, shall be reduced according to a schedule and method to be determined by the Board following adoption of the groundwater sustainability

plan. An operator's use of surface water in lieu of groundwater after the effective date of this ordinance shall not subject that operator to a greater allocation reduction than is imposed on other operators.

10.2 It is the intent of the Board to establish a minimum allocation for agricultural operators based on the sustainable yield and to exempt minimum allocations from the reductions contemplated in section 10.1 until such time as the Board determines that a reduction of the minimum allocation is necessary in order to facilitate implementation of the groundwater sustainability plan.

ARTICLE 11. VARIANCES

The Executive Officer may, on written request from a land owner or operator, grant a variance from the requirements of this ordinance based on the standards set forth in this article.

11.1 Variance Purpose and Standards - The sole purpose of any variance shall be to enable an owner or operator to make reasonable use of groundwater in the same manner as other users of groundwater in the Basins. Before any variance may be granted, the owner or operator must establish and the Agency must determine that all of the following standards are met:

11.1.1 That there are special circumstances or exceptional characteristics applicable to the owner or operator which do not apply generally to comparable owners or operators in the Basins; and

11.1.2 That granting a variance will not confer a special privilege inconsistent with the limitations upon other owners and operators in the Basins; and

11.1.3 That denial of a variance will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of this ordinance; and

11.1.4 That the granting of a variance will not be inconsistent with the groundwater sustainability plan or the provisions of SGMA or with other regulations or ordinances of the Agency or detrimental to the Agency's ability to improve and protect the quantity or quality of groundwater supplies within the Basins; and

11.1.5 That the granting of a variance will not substantially impede the Agency's ability to achieve sustainable groundwater management or the actual sustainability of groundwater in the Basins.

11.2 Burden of Proof – A person seeking a variance shall have the burden of proving to the satisfaction of the Executive Officer that the above standards can be met.

11.3 The Agency may recognize and consider other mitigating factors demonstrated or proposed by the applicant. The Agency at its discretion may include and impose those or other factors as conditions of granting the variance request.

11.4 The Executive Officer may consider any prior requests, permits, other Agency decisions, or enforcement actions associated with the owner or operator.

11.5 Any new or increased extraction allocation granted by the Agency pursuant to a variance request may not be transferred without prior Agency approval.

11.6 Variance Procedures – All requests for a variance shall be filed in writing with the Agency.

11.7 Application Period – For the water year beginning October 1, 2020, variances may be applied for by June 30, 2010. For all subsequent water years, variances may be applied for by June 30 for use in the following the water year.

11.8 Review Period – The Executive Officer shall make reasonable efforts to render a decision on all applications within 90 days from the date the variance is requested. The Executive Officer's decision shall be in writing and include the findings made relative to the standards set forth in section 11.1.

11.9 Appeals – The Executive Officer's decision under this article is appealable in accordance with chapter 6.0 of the Agency Ordinance Code.

ARTICLE 12. CONFLICTS

Should any conflicts occur between the provisions of this ordinance and any other duly enacted Agency code or ordinance, the provisions of this ordinance shall govern.

ARTICLE 13. SEVERABILITY

Should any provision, section, subsection, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, subsections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

ARTICLE 14. EFFECTIVE DATE; OPERATIVE DATE

This ordinance and amendments hereof shall become effective on the thirty-first day after adoption.

APPELLANT EXHIBIT R

AN ORDINANCE TO AMEND EMERGENCY ORDINANCE E TO RESTORE TEMPORARY EXTRACTION ALLOCATIONS FOR MUNCIPAL AND INDUSTRIAL OPERATORS

ARTICLE 1. FINDINGS

1.1. The Fox Canyon Groundwater Management Agency Board of Directors in response to persistent drought conditions in the territory of the Agency on April 11, 2014, adopted an emergency ordinance limiting extractions from groundwater extraction facilities, etc. (Emergency Ordinance E) which, among other things, established temporary extraction allocations for municipal and industrial operators based on average annual extractions during a base period of 2003 to 2012.

1.2. The same drought conditions that led to the adoption of Emergency Ordinance E resulted in the passage of the Sustainable Groundwater Management Act of 2014 (SGMA) which requires that the Agency adopt and implement a groundwater sustainability plan that includes measures to ensure that each of the basins within the territory of the Agency is operated within its sustainable yield.

1.3. The Agency has been engaged since 2015 in a stakeholder-driven process to develop allocation systems for each of its groundwater basins to help meet the sustainability goal under SGMA for the basins and intends to implement those allocation systems as of October 1, 2020.

1.4. The allocation systems to be adopted by the Agency will replace the temporary extraction allocations established under Emergency Ordinance E and provide a foundation for the long-term sustainable management of the groundwater basins within the territory of the Agency.

1.5. The implementation of Emergency Ordinance E resulted in a reduction in groundwater extraction allocations for municipal and industrial operators that exceeded the reduction imposed on agricultural operators which was contrary to the intent of Emergency Ordinance E. In accordance with the Agency's guiding principles for fair, firm and consistent groundwater regulation, the Board wishes to restore the temporary extraction allocations for municipal and industrial operators to the amounts initially established under Emergency Ordinance E.

1.6. Notwithstanding the improvement in conditions that led to the lifting of the Governor's proclamation of a drought state of emergency, dry conditions and other challenges to sustainable yield and sustainable groundwater management continue to persist within the territory of the Agency and support a continued need for all other measures in Emergency Ordinance E to improve and protect the quantity and quality of groundwater supplies and to facilitate development of a long-term plan for groundwater management.

1.7. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Water Code section 10728.6 and CEQA Guidelines sections 15301, 15307 and 15308.

ARTICLE 2. AMENDMENT OF EMERGENCY ORDINANCE E

Article 2.C. of Emergency Ordinance E is hereby repealed with respect to groundwater extractions

subject to temporary extraction allocations beginning on January 1, 2020. All other provisions of Emergency Ordinance E shall remain in full force and effect.

ARTICLE 3. EFFECTIVE DATE

This ordinance shall become effective on the thirty-first day after adoption.

PASSED AND ADOPTED this 13th day of December, 2019, by the following vote:

AYES: 4

NOES: 1

ABSENT: 0

Chair, Board of Directors
Fox Canyon
Groundwater
Management Agency

ATTEST:

By: Jennie Malos
Clerk of the Board Acting

September 24, 2025, Appeal Hearing (Item 19)

Supplemental Opposition Exhibits

Additional Exhibits may be Entered into Evidence during the Hearing

A: Letter to the Board, dated September 12, 2025 (4 pages)

OPPOSING EXHIBIT A

DAVID A. ESQUIBIAS*†
RUTH D. MORROW
SARA J. MCLEMEN
CRAIG R. AIRD†

* CERTIFIED SPECIALIST - ESTATE PLANNING, TRUST, AND PROBATE LAW THE STATE BAR OF CALIFORNIA BOARD OF LEGAL SPECIALIZATION

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PARALEGALS:
JENNA CORRAL
ANNABELLE V. AUGUSTINE
RUBY NAVA

September 12, 2025

VIA FEDERAL EXPRESS

Fox Canyon Groundwater Management Agency
Attn: Board of Directors
800 South Victoria Avenue
Ventura, CA 93009-1610

Re: Opposition to Appeal of Well Application No. 0309

Dear Members of the Board:

Please be advised I represent Noel Nottingham Daily, Trustee of the Daily Marital Trust UTD May 25, 1995 ("Noel"). Noel submits this response opposing the appeal filed by R.N. Daily Ranch, LLC ("Daily Ranch") from the denial of Application No. 0309 ("Application 0309"). For the reasons set forth below, the Board should affirm the denial.

I. No Vested Right Was Ever Created

Well 01N21W03H02S ("Well H02") was located on APN 230-0-061-090 ("P50"), property owned by Noel. Daily Ranch does not own P50 and never held the allocation attached to Well H02. Any use of Well H03 by P225 and Daily Ranch was by virtue of a temporary assignment or neighborly arrangement—not a vested or transferable right recognized by Fox Canyon Groundwater Management Agency (the "Agency"). When Well H03 failed the associated extraction allocation reverted to P50. Nothing in the Agency's rules converts a temporary assignment or a well-sharing arrangement into a permanent right for the benefit of another parcel.

II. Emergency Ordinance E Strictly Limits Replacement Wells

Article 4 of Emergency Ordinance E prohibits "the issuance of any permit for construction of a groundwater extraction facility, other than a replacement, backup or standby facility which does not allow the initiation of any new or increased use of groundwater within the territory of the Agency." It further provides: "For the purpose of this Article 4, a 'new or increased use' is one that did

not exist or occur before the effective date of this emergency ordinance."

Because P225 never held a valid allocation associated with Well H02, approval of Application 0309 would effectively create a new use for that parcel rather than replace an existing lawful allocation. That is exactly what Article 4 forbids. As Daily Ranch's own representative Gary Arnold has stated, Well H03 is non-operational. Under the Agency's rules, when a replacement well ceases to operate, any temporary assignment of allocation ends. "Historical allocation" is not available for use under Emergency Ordinance E; it only permitted the new well from H02 to H03 as a replacement, not as a permanent transfer of allocation to a different parcel.

III. Allocation Remains with Well 01N21W03H02S

Under An Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins (the "OPV Allocation Ordinance"), allocation is based upon reported extractions during the Base Period. Well H02 holds the allocation because the Base Period extractions were reported under that well. Well H03 has no allocation under the OPV Allocation Ordinance.

Allocation remains with Well H02 until it is formally transferred pursuant to Article 9 of the OPV Allocation Ordinance. No such transfer has been submitted or approved. A replacement well can be drilled without filing an application to transfer allocation only if it is operated under the same CombCode (the combination of wells operated by the same operator on the same account). That is not the case here.

IV. OPV Allocation Ordinance Does Not Authorize New Use Without Transfer

Since the adoption of Emergency Ordinance E, the Agency has replaced its emergency allocation rules with the OPV Allocation Ordinance. Under the OPV Allocation Ordinance, allocations follow the base-period well until transferred under Article 9. The Ordinance does not authorize a replacement well drilled on a different parcel without a valid transfer, nor does it authorize splitting allocations across CombCodes. Accordingly:

1. Well H03 has no allocation.
2. The allocation associated with Well H02 has never been transferred.
3. Any temporary assignment ended when Well H03 became non-operational.

4. Under both Ordinance E and the OPV Allocation Ordinance, Daily Ranch cannot lawfully extract water from H03 absent a properly approved transfer.

V. No Equitable Sharing Agreement Exists Between P50 and P225

Daily Ranch asserts that water rights "attach to the land" and that P225 has an equitable right to a portion of the allocation. This is incorrect:

1. The Agency administers extraction-based allocations, it does not determine land-based rights. Those allocations are tracked by well number and CombCode and must be transferred under Agency rules.
2. The prior 2024 lessee, Duda, renewed its 2025 lease with P225 but not P50, without explanation or notice. That fact alone shows there is no obvious equitable sharing agreement between the two parcels (it is currently unknown how P225 is currently irrigated).
3. Historic or neighborly usage does not substitute for an Agency-approved transfer or create a permanent right.

Daily Ranch has no court confirmed entitlement to any portion of the allocation attached to H02.

VI. Noel's 2018 Consent Was Context-Specific and Is No Longer Valid

Daily Ranch relies heavily on Noel's 2018 consent to the application for a well permit. That consent was given:

1. At a time when Noel's husband was alive;
2. When P50 and P225 were jointly operated; and
3. Before any litigation between Noel and her daughter Adele Poliquin.

Today the circumstances are entirely different.

1. Noel's husband is dead. Noel and Adele are actively litigating Noel's husband's trust estate in Probate Court;
2. P50 and P225 are no longer jointly operated; and
3. Noel does not agree or consent to Daily Ranch's present application to drill Well H04.

VII. Protecting Existing Landowners' Allocations

Fox Canyon Groundwater Management Agency was created to manage and protect a critically over drafted groundwater basin. Allowing one

landowner to convert a temporary assignment into a permanent right, without a formal transfer approved by the Agency, would undermine the allocation system and erode the rights of all other existing landowners who have relied on the Agency's rules.

Granting Daily Ranch's appeal would reward a gratuitous donee of a temporary privilege with a permanent extraction right that was never purchased, never granted, and never approved under the Agency's transfer procedures. It would also encourage litigation between neighbors rather than compliance with the Agency's ordinances.

VIII. Requests

Consistent with Fox Canyon Groundwater Management Agency's stated policy that it does not split allocations, Noel Daily respectfully requests that the Agency:

1. Affirm the denial of Application No. 0309; and
2. Formally disassociate Well H03 from Well H02's CombCode and confirm that any allocation associated with Well H02 remains with APN 230-0-061-090 unless and until a valid transfer application is submitted and approved under Article 9 of the OPV Allocation Ordinance.

Yours very truly,

David A. Esquibias

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A State of California Water Agency

BOARD OF DIRECTORS
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EXECUTIVE OFFICER
John Demers

September 24, 2025

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Approval of Las Posas Valley Basin Annual Water Right Allocations for Water Year 2025 (October 1, 2025 – September 30, 2026) [LPV Watermaster] – *(New Item)*

RECOMMENDATIONS: (1) Receive a presentation from Agency staff on the calculation of annual Water Right Allocations under the Las Posas Valley (LPV) Adjudication Judgment for Water Year (WY) 2025, and **(2)** Adopt the proposed Annual Water Right Allocations for WY 2025.

BACKGROUND:
The Las Posas Adjudication Judgment provides that Watermaster, following Committee Consultation, shall annually calculate the Annual Water Right Allocations using the protocols and formulas set forth in Exhibit D[1] to the Judgment. (Judgment § 4.2.) Under the Judgment, each Water Right Holder's annual allocation depends in part on the Operating Yield of the LPV Basin. The Judgment set the Initial Operating Yield for the LPV Basin at 40,000 acre-feet (AF) through at least WY 2024 (October 1, 2024 – September 30, 2025). (Judgment § 4.9.1.1). On January 22, 2025, Watermaster approved extension of the Initial Operating Yield through WY 2025 (October 1, 2025 – September 30, 2026) to enable completion of the Basin Optimization Yield Study that will set the Operating Yield for future water years and be used to determine annual Water Right Allocations until the Operating Yield and Sustainable Yield match by 2040. However, as noted in WY 2023 and WY 2024 annual allocations calculations, the total amount of all Water Right Allocation Basis granted to Holders under the Judgment (41,851.57 AFY) is more than the initial Operating Yield set by the Judgment (40,000 AFY). (See Judgment, § 4.9.1.1, Exh. C.) The Judgment therefore required a small reduction in all Holders' WY 2023 and WY 2024 Water Right Allocations to ensure that extraction and use align with the initial 40,000 AFY Operating Yield set by the

[1] Judgment Exh D – Annual Allocation Protocols & Formulas: https://s42135.pcdn.co/wp-content/uploads/2023/08/Exh-D-Annual-Allocation-Protocols-Formulas.cleaned.pdf

Judgment. Similarly, because the Watermaster Board has extended the initial Operating Yield for an additional water year, all WY 2025 Water Right Allocations will be reduced by a small amount.

DISCUSSION:
Prior to calculating draft WY 2025 Annual Water Right Allocations, Watermaster contacted Hypericum Land Company, LLC, Hypericum Interests, LLC, Butler Ranch Mutual Water Company, and Del Norte Mutual Water Company (collectively, Conditional Domestic Holders) to determine whether any of them planned to exercise their Conditional Water Rights in WY 2025 (See Judgment, §§ 4.5.3.9, 4.5.3.10, Exhibit G, and Exhibit H.) Butler Ranch Mutual Water Company, Hypericum Land Company, LLC and Hypericum Interests, LLC counsel acknowledged receipt of Watermaster staff's written communication and confirmed that these companies had not met the conditions set forth in the Judgment to accrue any Conditional Domestic Allocations for WY 2025. However, these parties reserve the right to request such allocation in the future when such conditions as outlined in the Judgment have been met. These letters are attached as Exhibit 20A and Exhibit 20B, respectively. As of September 19, 2025, Watermaster did not receive a response from Del Norte Mutual Water Company's counsel. Therefore, none of the Conditional Domestic Allocations granted to Conditional Domestic Holders under the Judgment has been accrued. Staff prepared the attached draft WY 2025 Allocations Calculations excluding said conditional domestic allocations.

On August 28, 2025, staff referred the draft WY 2025 Allocations Calculations to the Las Posas Valley Policy Advisory Committee (PAC) for consultation in accordance with the Judgment. (Judgment § 4.2.) On September 2, 2025, staff published the draft WY 2025 Annual Allocations Calculations on the Watermaster website for review by Water Right Holders, notified Water Right Holders of the draft via email and requested feedback by September 10, 2025. The PAC provided a recommendation report endorsing the draft WY 2025 Groundwater Annual Calculations on September 4, 2025 (Exhibit 20C).

CONCLUSION:
Staff recommends that your Board (1) receive and file this presentation and (2) adopt the attached annual Water Right Allocations Calculations for the Las Posas Valley Basin for Water Year 2025 (Exhibit 20D).

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654 2954.

Sincerely,

Kaseke

Kudzai Farai Kaseke (PhD, PH, PMP, CSM)
Assistant Groundwater Manager

Attachments:

Exhibit 20A – Hypericum Letter dated August 28, 2025
Exhibit 20B – Butler Mutual Water Company Letter dated August 28, 2025
Exhibit 20C – PAC Recommendation Report dated September 4, 2025
Exhibit 20D – Water Year 2025 Water Right Allocations Calculations

ALSTON & BIRD

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Los Angeles, CA 90071
213-576-1000 | Fax: 213-576-1100

Gina M. Angiolillo Direct Dial: **+1 213 576 2606** Email: **gina.angiolillo@alston.com**

VIA ELECTRONIC MAIL ONLY

August 28, 2025

Kudzai Farai Kaseke
Assistant Groundwater Manager, Las Posas Valley Watermaster Staff
Farai.Kaseke@venturacounty.gov
(805) 654-2954

Re: WY 2025-26 Conditional Domestic Allocations for Hypericum Under Las Posas Valley Groundwater Adjudication Judgment

Dear Mr. Kaseke,

This letter acknowledges that as of August 28, 2025, Hypericum Land Company, LLC and Hypericum Interests, LLC (collectively, Hypericum) has not yet met the conditions set forth in Exhibit G of the Judgment in the Las Posas Valley Groundwater Basin adjudication (*Los Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency*, Santa Barbara Sup. Ct. Case No. VENCI00509700) to receive a Conditional Domestic Allocation.

Accordingly, at this time, Hypericum does not claim an allocation for Water Year 2025-26 on any parcel. Hypericum will notify Fox Canyon Groundwater Management Agency (in its capacity as Watermaster) when the conditions outlined in Exhibit G of the Judgment have been met and a Conditional Domestic Allocation has accrued on any parcel.

Sincerely,

Gina M. Angiolillo
Alston & Bird, LLP
Counsel for Hypericum Land Company, LLC and Hypericum Interests, LLC

ALSTON & BIRD

350 South Grand Avenue, 51st Floor
Los Angeles, CA 90071
213-576-1000 | Fax: 213-576-1100

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VIA ELECTRONIC MAIL ONLY

August 28, 2025

Kudzai Farai Kaseke
Assistant Groundwater Manager, Las Posas Valley Watermaster Staff
Farai.Kaseke@venturacounty.gov
(805) 654-2954

Re: WY 2025-26 Conditional Domestic Allocations for Butler Ranch Mutual Water Company Under Las Posas Valley Groundwater Adjudication Judgment

Dear Mr. Kaseke,

This letter acknowledges that as of August 28, 2025, Butler Ranch Mutual Water Company (Butler Ranch) has not yet met the conditions set forth in Exhibit G of the Judgment in the Las Posas Valley Groundwater Basin adjudication (*Los Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency*, Santa Barbara Sup. Ct. Case No. VENCI00509700) to receive a Conditional Domestic Allocation.

Accordingly, at this time, Butler Ranch does not claim an allocation for Water Year 2025-26 on any parcel. Butler Ranch will notify Fox Canyon Groundwater Management Agency (in its capacity as Watermaster) when the conditions outlined in Exhibit G of the Judgment have been met and a Conditional Domestic Allocation has accrued on any parcel.

Sincerely,

Gina M. Angiolillo
Alston & Bird, LLP
Counsel for Butler Ranch Mutual Water Company

cc: Nick.Leonard@hcvt.com

TO: Las Posas Valley Watermaster

FROM: Las Posas Valley Watermaster Policy Advisory Committee

RE: Recommendation Report – Las Posas Valley Annual Allocation

DATE: September 4, 2025

Recommendation:
See memo below for recommendation.

Policy Rationale for Recommendation:
See memo below for rationale.

Summary of Facts in Support of Recommendation:
See memo below for complete summary of facts.

Tally of Committee Member Votes:

	YES	NO	ABSTAIN	ABSENT
Ian Prichard, Calleguas MWD	X			
Paul Chan, VC WWD No. 1 & 19*				
John Menne, Zone MWC	X			
Rob Grether, West LPV Large Ag	X			
David Schwabauer, East LPV Large Ag	X			
Patricia Martinez, East LPV Small Ag				X
Richard Cavaletto, West LPV Small Ag	X			
Laurel Servin, East LPV MWC	X			
Steven Murata, West LPV MWC	X			
Arturo Aseo, Commercial	X			
**As of the date of this vote, Mr. Chan was nominated by Ventura County Waterworks to serve as the agency representative on the PAC but had not been confirmed by the Watermaster Board. As such, he did not cast a vote.*				

Report of Bases for Majority and Minority Committee Member Positions:

PAC Recommendation Report Regarding the Las Posas Valley Basin Annual Allocation

As there are no changes to the 40,000 AF Operating Yield nor to the existing LPV Basin Annual Allocations, both of which are carried forward in the draft schedule for WY 2025, the PAC supports the proposed Annual Allocations schedule for Water Year 2026.

Item 20D - WY2025 Water Right Alloc. Calculations
FCGMA Board Meeting, September 24, 2025

Draft LPV Agricultural Groundwater Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Wells	Allocation Basis (AF)	Base Agricultural Allocation (AF)	Supplemental Agricultural Allocation (AF)	Annual Supplemental Allocation (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
1001	49 Acres Scholle Ranch LP		1100091010 1100091020 1100091030 1100120080 1100120160 1100120170	02N21W10Q03 02N21W10Q04	368.02	248.46	119.56	106.19	**354.65**	Hybrid	Del Norte
1002	Aggen Associates, LLC		1100141020 1100142010	02N21W12G01	164.71	158.61	6.10	5.42	**164.03**	N/A	N/A
1003	Aggen Partners, LP		1100142075 1100142140	02N21W12H01 02N21W12H02	219.09	148.03	71.05	63.10	**211.13**	Hybrid	Zone
1004	Samuel and Sylvia Alvarez Family Revocable Trust dated 02/20/1998, Samuel and Sylvia Alvarez, Trustees		1100200090		88.67	59.05	29.62	26.31	**85.36**	Exclusive	Zone
1005	Samuel and Sylvia Alvarez Family Revocable Trust dated 02/20/1998, Samuel and Sylvia Alvarez, Trustees		1100200080 1100200100		98.15	67.15	31.00	27.53	**94.68**	Exclusive	Zone
1006	Apricot Lane Farm Holdings, LLC	Main - Broadway	5030010025 5030010030 5030010040 5030010335 5030010395 5030020125 5030020260 5030020425	03N20W25J04 03N20W25R04	295.51	137.69	157.82	140.17	**277.86**	N/A	N/A
1007	Apricot Lane Farm Holdings, LLC	Stockton	1080170025 1080170035	03N20W24P03	67.72	57.57	10.15	9.01	**66.58**	N/A	N/A
1008	Bryce and Elaine Bannatyne Trust, Bryce Bannatyne, Trustee	Rancho Resplandor Sand Canyon	1100200240	02N20W09B01	27.43	27.31	0.12	0.11	**27.42**	N/A	N/A
1009	Bryce and Elaine Bannatyne Trust, Bryce Bannatyne, Trustee	Rancho Resplandor Moorpark	5020060010	03N19W29L01	219.05	92.96	126.09	111.99	**204.95**	N/A	N/A
1010	Bell Ranch Investors, LLC		1560180350 1560180360 1560180430	02N20W17P01 02N20W17L01	583.35	244.63	338.72	300.83	**545.46**	N/A	N/A
1011	John W. Borchard Ranches, Inc., a California corporation	Reiman Ranch	1100133230 1100133240		264.51	180.19	84.32	74.89	**255.08**	Exclusive	Zone
1012	John W. Borchard Ranches, Inc., a California corporation	Goodyear Ranch	1100133200 1100150115		67.49	45.98	21.52	19.11	**65.09**	Exclusive	Zone
1013	Farmland Reserve, Inc.,		5030050225 5030050245	02N20W01Q01 02N20W01Q02	81.00	47.86	33.13	29.42	**77.28**	N/A	N/A
1014	Berylwood Ranch, LLC, a California limited liability company		1100020090 1100020100		235.38	107.92	127.46	113.20	**221.12**	Exclusive	Zone
1015	Roberta Ann Bianchi Trust dated 04/25/1988, Roberta Ann Bianchi, Trustee		1100092170		43.28	43.28	0.00	0.00	**43.28**	Exclusive	Del Norte
1016	Roberta Ann Bianchi Trust dated 04/25/1988, Roberta Ann Bianchi, Trustee		1100092210		45.61	45.61	0.00	0.00	**45.61**	Exclusive	Del Norte
1017	William A. Miller, Trustee of the William A. Miller Living Trust dated August 6, 2003, et al.		5030010090 5030010145 5030010165 5030010310 5030010405	03N20W26J01 03N20W26R03	224.48	134.26	90.22	80.13	**214.39**	N/A	N/A
1018	William A. Miller, Trustee of the William A. Miller Living Trust dated August 6, 2003, et al.		1080170090 5020020180 5030010325	03N20W26J01 03N20W26R03 03N19W29F07	41.51	18.47	23.04	20.46	**38.93**	N/A	N/A
1019	John W. Borchard, Jr., Trustee of the John W. Borchard, Jr. Trust dated May 12, 1971	Baptiste Ranch	1100170645		48.23	30.02	18.21	16.17	**46.19**	Exclusive	Zone
1020	Lauren A. Borchard, Trustee LAB Trust; Leslie K. Borchard	MCB Farms LLC, Greenhills Ranch	1090031185		89.95	52.65	37.30	33.13	**85.78**	Exclusive	Del Norte
1021	Lauren A. Borchard, Trustee for the LAB Trust; Leslie K. Borchard	MCB Farms LLC -Donlon 3 Ranch	1100420035		43.26	30.55	12.71	11.29	**41.84**	Exclusive	Rancho Canada

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Draft LPV Agricultural Groundwater Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Wells	Allocation Basis (AF)	Base Agricultural Allocation (AF)	Supplemental Agricultural Allocation (AF)	Annual Supplemental Allocation (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
1022	Borchard, Patricia C. Trust, John Borchard Trustee	Green Hills Ranch	1090031175		99.92	62.29	37.62	33.41	**95.70**	Exclusive	Del Norte
1023	Broadway Road Moorpark, LLC, a Delaware limited liability company		5020020030		149.97	62.89	87.08	77.34	**140.23**	Exclusive	Thermic
1024	John S. Broome Trust dated June 1, 1967, John S. Broome, Jr., Trustee, et al.	Escabitas	1090050135 1090050205	02N21W17N03 02N21W17R02	214.57	149.58	64.99	57.72	**207.30**	N/A	N/A
1025	John S. Broome Trust dated June 1, 1967, John S. Broome, Jr., Trustee, et al.	Colina	1100200065	02N20W09H01	83.37	41.39	41.98	37.28	**78.67**	Hybrid	Zone
1026	Bruecker 2005 Revocable Family Trust, Kenneth A. and Juli A. Bruecker, Co-Trustees		5030060225 5030060235 5030060255 5030060325	02N20W01A01	87.15	68.42	18.73	16.63	**85.05**	N/A	N/A
1027	Burdullis Ranches LLC		1100420025		39.37	36.76	2.61	2.32	**39.08**	Exclusive	Rancho Canada
1028	Burdullis Ranches LLC		1100420045		37.22	30.79	6.43	5.71	**36.50**	Exclusive	Rancho Canada
1030	Green Hills Ranch, LLC	Green Hills Ranch	1090031065 1090031095 1090031125 1090031155		338.16	213.40	124.76	110.80	**324.20**	Exclusive	Del Norte
1031	Glen and Kim T. Carmichael, Co-Trustees of the Glen and Kim T. Carmichael Joint Living Trust and Carmichael Farms Trust		1070130195 1070130205 1070130255 1100100025	03N21W34R01	193.46	148.93	44.53	39.55	**188.48**	Hybrid	Del Norte
1032	Miguel Magdaleno Jr., Trustee of the Magdaleno Living Trust dated April 4, 2002		5030050320	02N20W01M01	230.66	100.48	130.17	115.61	**216.09**	N/A	N/A
1034	Ann Cooluris, Trustee of the Ann C. Cooluris Trust, et al.		1100150085		164.41	112.49	51.92	46.11	**158.60**	Exclusive	Zone
1035	Culbert Farms LLC; Cristina Marie Kildee; Delcia Ann Giacalone; Jennifer Elizabeth Kildee; Richard D. Culbert; Michael Kenneth Kildee; Kevin Bertis Kildee	Culbert 60 Ranch	1100142100		80.73	73.86	6.87	6.10	**79.96**	Exclusive	Zone
1036	D&D Coastal, LLC		1080180065	03N20W27G06	32.79	14.19	18.60	16.52	**30.71**	Hybrid	Balcom-Bixby
1037	DeBoni Corporation		1100141090	02N21W11H02	120.66	80.81	39.85	35.39	**116.20**	Hybrid	Zone
1038	DeBoni Corporation		1100092160 1100093010		116.22	105.01	11.21	9.96	**114.97**	Exclusive	Del Norte
1039	Dent Ranch, LP		5000210220		23.49	10.09	13.41	11.91	**22.00**	Exclusive	Thermic
1040	Leslie C. Dobson & Debra L. Dobson	Lot 3	1100230335	03N20W33B04	16.93	12.04	4.89	4.34	**16.38**	Hybrid	Las Lomas
1041	US Horticulture Farmland		5030040255 5030040265 5030040285 5030040295	02N20W02N03 02N20W02N03m2	402.14	275.86	126.28	112.15	**388.01**	Hybrid	Berylwood
1042	Zachary Rastegar Farms, LLC	Shiloh Ranch	1070110035 1070110050 1070130030 1070130070 1100110075	03N21W35P02	240.22	141.95	98.27	87.28	**229.23**	N/A	N/A
1043	Isabella Rastegar Farms, LLC	Tara Ranch	1070120060 1070120215 1070120225 1070130145	02N21W04Q02	181.17	107.06	74.12	65.83	**172.89**	Hybrid	Del Norte
1044	John Moffatt Grether, Trustee of the GST Exempt Exemption Trust and the Survivors Administrative Trust under the Grether Family Trust	Home 13	1090042080		15.39	15.39	0.00	0.00	**15.39**	Exclusive	Del Norte
1045	John W. Borchard, Jr and J. David Borchard, Co-Trustees of the Cecilia Borchard 1971 Trust for the benefit of John W. Borchard, Jr.	Perkins Ranch	1100120010		169.52	85.37	84.15	74.74	**160.11**	Exclusive	Zone

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Draft LPV Agricultural Groundwater Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Wells	Allocation Basis (AF)	Base Agricultural Allocation (AF)	Supplemental Agricultural Allocation (AF)	Annual Supplemental Allocation (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
1046	Ernest Borchard Ranch Co., LLC, a California limited liability company	Thorpe Ranch	1100120060		200.41	148.36	52.05	46.23	**194.59**	Exclusive	Zone
1047	J. David Borchard and Michele A. Borchard, Co-Trustees of the J. David and Michele A. Borchard Family Trust dated September 25, 2014	DJB Ranch	1100160020		108.56	54.78	53.79	47.77	**102.55**	Exclusive	Zone
1048	John W. Borchard, Jr. and J. David Borchard, Co-Trustees of John's Exempt Residuary Trust, under the John W. Borchard 1986 Trust	Hawkins Ranch	1100131010		22.47	11.31	11.16	9.91	**21.22**	Exclusive	Zone
1049	John W. Borchard Jr. and Suzanne Borchard Kelly, Co-Trustees of the the Patricia C. Borchard Testamentary Trust for the benefit of John W. Borchard, Jr.	Knittles Ranch	1100133220 1100133250		96.58	65.44	31.15	27.67	**93.11**	Exclusive	Zone
1050	Dusty Lane LLC		1080100145	03N20W28P03	22.22	16.14	6.08	5.40	**21.54**	N/A	N/A
1051	Dusty Lane LLC		1100230255	03N20W28P03 03N20W28Q01	25.47	18.50	6.97	6.19	**24.69**	Hybrid	Balcom-Bixby
1053	James D. Engel, Trustee for the James D. Engel and Kay A. Engel Trust Dated April 15, 1998	Quail Hill Enterprises, Inc.	5030020350	03N20W36A03	40.00	22.33	17.67	15.69	**38.02**	N/A	N/A
1054	Farmland Reserve, Inc.		5030060115 5030060155 5030060180	02N20W01Q01 02N20W01Q02	299.50	132.46	167.04	148.36	**280.82**	N/A	N/A
1055	Green Fuse Botanicals, LLC		5030040065		16.09	13.18	2.92	2.59	**15.77**	Exclusive	Berylwood
1056	Zachary Rastegar Farms, LLC		1070130080 1100110180	03N21W35L03	111.48	94.08	17.39	15.44	**109.52**	N/A	N/A
1058	Gwyn Goodman, Trustee for the Goodman Family Trust		1100071245 1100071255 1100072030		54.57	29.56	25.01	22.21	**51.77**	Exclusive	Berylwood
1059	James A. Waters, III, Trustee for The J&H Waters Revocable Trust Dated July 18, 2008 ; James A. Waters, III, Trustee for The Andrew Exempt Trust Dated June 29, 2012	Balcom Canyon Ranch	1080100025	03N20W28J01S	134.58	97.74	36.84	32.72	**130.46**	Hybrid	Balcom-Bixby
1060	James A. Waters, III, Trustee for The J&H Waters Revocable Trust Dated July 18, 2008; James A. Waters, III, Trustee for The Andrew Exempt Trust Dated June 29, 2012	Hawley Ranch	1100080100		143.26	77.24	66.02	58.64	**135.88**	Exclusive	Berylwood
1061	James A. Waters, III, Trustee for The J&H Waters Revocable Trust Dated July 18, 2008	Bard Ranch	5030020370	03N20W36A03	35.00	20.10	14.90	13.23	**33.33**	N/A	N/A
1062	John Moffatt Grether, Trustee of the Helen B. Grether Trust, the GST Exempt Exemption Trust, and the Survivors Adminstrative Trust under the Grether Family Trust	Home Ranch	1090042090		105.74	102.65	3.08	2.74	**105.39**	Exclusive	Del Norte
1063	Elizabeth B. Grether Trust, Elizabeth B. Grether, Trustee		1550270255		150.40	119.05	31.36	27.85	**146.90**	Exclusive	Zone
1064	April First Trust dated 01/15/2001, John M. Grether and Elizabeth B. Grether, Trustees	Russell	1100092260		56.22	56.22	0.00	0.00	**56.22**	Exclusive	Del Norte
1065	April First Trust dated 01/15/2001, John M. Grether and Elizabeth B. Grether, Trustees	Rita	1100133085	02N21W01L01 02N21W11A03 03N21W36Q01	29.60	16.85	12.75	11.32	**28.17**	N/A	N/A
1066	April First Trust dated 01/15/2001, John M. Grether and Elizabeth B. Grether, Trustees	Selia	1100141125		53.46	49.44	4.02	3.57	**53.01**	Exclusive	Zone
1068	Jose de Jesus and Maria de la Cruz Gutierrez, Joint Tenants		1100420095		21.06	10.97	10.09	8.96	**19.93**	Exclusive	Rancho Canada
1069	Jose de Jesus and Maria de la Cruz Gutierrez, Joint Tenants		1100420105		15.30	15.30	0.00	0.00	**15.30**	Exclusive	Rancho Canada
1070	Hacobian, Edward/Kristine		1100230215	03N20W28P04	25.00	20.50	4.50	4.00	**24.50**	Hybrid	Balcom-Bixby
1071	Hagel, Timothy et al	Meadows of Moorpark	1080161115	03N20W26C01	8.82	8.82	0.00	0.00	**8.82**	Hybrid	Balcom-Bixby

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Draft LPV Agricultural Groundwater Allocations Water Year 2025 (08/28/2025)

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1072	MP Ranch, LLC, a California Limited Liabilty Company		1100230145	03N20W28P01 03N20W28Q02	31.63	16.60	15.03	13.35	**29.95**	N/A	N/A
1073	Higgins, Sunny May Trust et al	Snyder Ranch	1100150020 1610030030		216.71	102.41	114.30	101.51	**203.92**	Hybrid	Zone
1075	Jefferson Farms, LP		1080110330 1080180135 1080180145 1080180155 1100430035 1100430045 1100430055 1100430065 1100430075 1100430085	03N20W27H04 03N20W27J01 03N20W34J01m2 03N20W35D01	663.37	285.26	378.10	335.81	**621.07**	N/A	N/A
1076	Michael D. and Merrie Kelley, Trustee for the Michael and Merrie 2008 Revocable Family Trust, dba Triangle K. Farms		1100040410 1100160195 1100160215 1100160225 1100170300	02N0W07R03 02N20W08M01	143.95	70.69	73.25	65.06	**135.75**	N/A	N/A
1077	Kirschbaum, LLC	La Loma Main Ranch	1090031035	02N21W04J01	257.00	161.36	95.64	84.94	**246.30**	Hybrid	Del Norte
1078	Kirschbaum, LLC	Balcom Canyon Ranch	1100230125	03N20W33B03	65.17	34.62	30.55	27.13	**61.75**	Hybrid	Las Lomas
1079	Lamb Trust, John B Lamb Trustee		1100100215 1100100235 1100100265		13.58	8.22	5.36	4.76	**12.98**	Exclusive	Del Norte
1080	Graham Somis Ranch, LLC	McKee Ranch	1100142085 1100142095	02N20W07L01	200.28	144.64	55.63	49.41	**194.05**	Hybrid	Zone
1081	JG Leavens LLC and Leavens Ranches LLC		5000150115 5000150135 5000150145 5020010105 5020010115 5020030040 5020031095 5020031105 5020032045 5020040025 5020040075 5020040085 5020040095 5020040105 5020040205 5020050025 5020050035 5020050045 5020050055 5020050075 5020060035 5020060045 5020070030 5020070075 5020070085 5020070105 5020070115	03N19W29K04 03N19W29K06 03N19W29K07 03N19W29K08	1,877.76	787.45	1,090.31	968.35	**1,755.80**	N/A	N/A
1082	Los Angeles Avenue Ranch LP et al.		1090061040 1090061180 1090061200	02N21W15M04	512.55	216.36	296.19	263.06	**479.42**	N/A	N/A

Item 20D - WY2025 Water Right Alloc. Calculations
FCGMA Board Meeting, September 24, 2025

Draft LPV Agricultural Groundwater Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Wells	Allocation Basis (AF)	Base Agricultural Allocation (AF)	Supplemental Agricultural Allocation (AF)	Annual Supplemental Allocation (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
1083	Lowe Family Trust dated 07/28/1996, David Huei-Chung and Florence Ai-Lieng Lowe Trustees		1100420085		33.66	27.90	5.76	5.12	**33.02**	Exclusive	Rancho Canada
1084	Mahan Ranch, et al		1100060645 1100060695 1100071095 1100071115 1100071265	03N20W34J01 03N20W34J01m3 03N20W34J02 03N20W34J03 03N20W34J03m3	184.49	104.01	80.47	71.47	**175.48**	Hybrid	Berylwood
1085	Audelio Martinez and Renato Martinez	Escondido Ranch	1100040395 1100040405	03N20W33F01	245.52	122.76	122.76	109.03	**231.79**	N/A	N/A
1086	Audelio Martinez and Renato Martinez	GTO Ranch	1100150075	02N20W07L01	100.19	59.21	40.99	36.40	**95.61**	Hybrid	Zone
1087	Audelio Martinez and Renato Martinez	Inoberry Ranch	1100180360 1100180370	02N20W09C01	400.33	216.85	183.49	162.97	**379.82**	Hybrid	Zone
1088	Audelio Martinez and Renato Martinez	Luzmar Ranch	1100160245		50.39	36.71	13.68	12.15	**48.86**	Exclusive	Zone
1089	Audelio Martinez and Renato Martinez	Palace Ranch	1100170255		74.56	34.75	39.81	35.36	**70.11**	Exclusive	Zone
1090	Audelio Martinez and Renato Martinez	Patricia Ranch	1100120055		91.72	54.44	37.27	33.10	**87.54**	Exclusive	Zone
1091	Audelio Martinez	Sand Canyon - North	1100200220		23.80	23.80	0.00	0.00	**23.80**	Exclusive	Zone
1092	Audelio Martinez	Sand Canyon - South	1100200335	02N20W09C01	29.43	22.94	6.49	5.76	**28.70**	N/A	N/A
1093	Audelio Martinez and Renato Martinez	Santa Rosa Ranch	1100160100		146.82	86.76	60.06	53.34	**140.10**	Exclusive	Zone
1094	Mastro Culbert Farms, LLC & Steven Mastro		5000130135 5000130155 5000130165 5000130175	03N19W30F01	232.40	109.86	122.54	108.83	**218.69**	N/A	N/A
1095	Rancho Isla Vista LLC		1090031025	02N21W18A01 02N21W18H08 02N21W18H11	130.05	78.65	51.41	45.66	**124.31**	Hybrid	Del Norte
1097	John R. Milligan Trust dated December 11, 1998, et al.		5040021260	02N19W07B02 02N19W07K01	344.67	144.54	200.13	177.74	**322.28**	N/A	N/A
1098	Mittag Farms	RC - Farms	1090050260 1090050370	02N21W16N03	307.89	307.89	0.00	0.00	**307.89**	N/A	N/A
1099	Mittag Farms	RMD - Farms	1100010010 1100010080 1100010145 1100132160 1100132240	02N21W01L01 02N21W11A03 03N21W36Q01	1,089.46	904.97	184.49	163.85	**1,068.82**	Hybrid	Zone
1100	Mittag Ranches	Rancho Enrique	1090050330	02N21W17F05	226.22	196.55	29.67	26.35	**222.90**	N/A	N/A
1101	Mittag Ranches	RMD - Ranches	1100120130 1100120215 1100120220 1100132040 1100132150 1100132230 1100141130	02N21W11A02	613.66	576.75	36.91	32.78	**609.53**	Hybrid	Zone
1102	Mittag Ranches	RC - Ranches & Judith	1090061055 1090061135 1090061260	02N21W16J03	344.03	344.03	0.00	0.00	**344.03**	Hybrid	Zone
1103	Brian L. Moore Revocable Trust dated 10/30/2009, Brian L. Moore, Trustee		1100420075		33.84	33.84	0.00	0.00	**33.84**	Exclusive	Rancho Canada
1105	SatFarm, LLC, a California limited Liability Company	SatFarm 4, LLC	5030020245 5030030275	03N20W36L01	43.60	25.08	18.52	16.45	**41.53**	N/A	N/A
1106	Mueller Family Trust, Scott R. Mueller		1100420055		21.85	21.85	0.00	0.00	**21.85**	Exclusive	Rancho Canada
1108	Paul Naumes, Trustee for the Paul Naumes 2013 Living Trust, San Joaquin Door & Supply, Inc.		1080162125 1080162155 1080162175 1080162195 1080162205	03N20W26C02	82.14	42.71	39.43	35.02	**77.73**	N/A	N/A

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1109	Charles R. and Kathleen M. Northcross Family Trust dated 05/27/2000, Charles and Kathleen Northcross, Trustees		1100420015		33.01	30.59	2.42	2.15	**32.74**	Exclusive	Rancho Canada
1110	Cohen Trust of 1990, dated 11/27/1990, and restated 08/05/2010, Marc S. Cohen and Lyn M. Cohen, Co-Trustees		1100010215		14.87	8.80	6.07	5.39	**14.19**	Exclusive	La Loma Ranch
1111	Oro Del Norte, LLC		1100092190		382.72	266.20	116.52	103.49	**369.69**	Exclusive	Del Norte
1112	Placco, LLC	PR1	1550270200 1550270275		272.58	168.20	104.38	92.70	**260.90**	Exclusive	Zone
1113	Placco, LLC	PR2	1100010155		58.54	44.34	14.20	12.61	**56.95**	Exclusive	La Loma Ranch
1114	Placco, LLC	PR3	1630010270 1630010320 1630010330 1630010370 1630010420 1630010430 1630010440 1630010450 1630010460 1630010480	02N20W16B06	421.43	288.35	133.08	118.19	**406.54**	Hybrid	Arroyo Las Posas
1115	Placco, LLC	PR4	1550270215 1550270230 1550270280 1550270290 1550270305 1550270315 1550270325	02N21W13A01	518.58	330.45	188.13	167.09	**497.54**	Hybrid	Zone
1116	Quine Ranch LP		5000090185	03N19W30D02	88.04	42.28	45.76	40.64	**82.92**	N/A	N/A
1117	SatFarm, LLC, a California limited Liability Company	SatFarm, LLC	5030020225	03N20W36L01	42.40	24.52	17.87	15.87	**40.39**	N/A	N/A
1119	Mark Ratto, Trustee of the Mark Ratto Revocable Living Trust dated February 2, 2016		1100060635 1100200185	03N20W34J03m4	67.40	45.87	21.53	19.12	**64.99**	N/A	N/A
1120	RBV 2+5, LLC		1090032150 1090032160	02N21W18A01 02N21W18H08 02N21W18H11 02N21W04Q02m2	56.38	48.82	7.55	6.71	**55.53**	Hybrid	Del Norte
1121	RBV-Vanoni, LLC		1090032170 1090042050 1090042100	02N21W18A01 02N21W18H08 02N21W18H11 02N21W04Q02m2	189.55	167.74	21.81	19.37	**187.11**	Hybrid	Del Norte
1122	Frank Russell Ranch LP		1100092250 1100120250		135.70	81.29	54.40	48.31	**129.60**	Exclusive	Del Norte
1123	Santa Clara Avenue Oxnard, LP, a Delaware limited partnership		1090050240	02N21W17M03	298.41	180.36	118.05	104.85	**285.21**	N/A	N/A
1124	Santa Elena Farms, LLC, a California limited liability company		1090032135 1090032145		158.92	94.18	64.74	57.50	**151.68**	Exclusive	Del Norte
1125	Santa Paula Hay & Grain and Ranches, LLC	Waters Ranch	5030072055		64.69	27.13	37.56	33.36	**60.49**	Exclusive	Fuller Falls
1129	Santa Paula Hay & Grain and Ranches, LLC	Balcom Canyon (2018)	5030040120 5030040130 5030040140	02N20W11D01	237.02	162.17	74.85	66.48	**228.65**	Hybrid	Berylwood
1132	John W. Borchard, Jr., Trustee of the John W. Borchard, Jr. Trust dated May 12, 1971	Mulinix Ranch	1100020130 1100020140		132.96	92.66	40.30	35.79	**128.45**	Exclusive	Zone
1133	John W. Borchard, Jr., Trustee of the John W. Borchard, Jr. Trust dated May 12, 1971	Ford Ranch	1100131020		111.70	56.26	55.44	49.24	**105.50**	Exclusive	Zone
1134	Ventura Citrus Properties LLC		5030020400	03N20W36L01	48.80	25.85	22.96	20.39	**46.24**	N/A	N/A
1135	Newman Trust dated 01/27/2000, Ronald Newman, Trustee		5030020300	03N20W36L01	29.43	17.10	12.33	10.95	**28.05**	N/A	N/A

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1136	James A. Fitzgerald Trust No. II, Brian Fitzgerald, Trustee	Fitzgerald Ranch	5030020135	03N20W25R03 03N20W36A04	29.83	17.08	12.75	11.32	**28.40**	N/A	N/A
1138	Seacoast Farms, LLC		1090041160 1090041180	02N21W08G04 02N21W08H03 02N21W17D03	692.97	497.71	195.26	173.42	**671.13**	N/A	N/A
1139	Gayl Family 1992 Trust, Robert Gayl, Trustee	Gayl Ranch	5030020340	03N20W25R03 03N20W36A04	29.51	26.22	3.30	2.93	**29.15**	N/A	N/A
1140	Sharlee C. Carnes; Meredith C. Horton; Michael E. Culbert	Culbert Home Ranch	1550270070 1550270095		75.57	66.01	9.56	8.49	**74.50**	Exclusive	Zone
1142	Stagola, Inc.	Balcom Ranch Road	1100220010	02N20W03K03	458.11	192.11	266.00	236.25	**428.36**	N/A	N/A
1143	Thomas Staben	Lemon Ranch	1630010805 1630010825 1630020765 1630020795		59.79	41.08	18.71	16.62	**57.70**	Exclusive	Zone
1144	Stevens Trust, Kathleen/Leon Scott Stevens		1090050085 1090050125 1090050185	02N21W20A01 02N21W20A02 02N21W21D04	224.79	173.83	50.96	45.26	**219.09**	N/A	N/A
1145	Lee Stoeckle Living Trust dated 10/19/2009, Leo Stoeckle, Trustee		5000150125	03N19W20G01	88.40	40.25	48.15	42.76	**83.01**	N/A	N/A
1146	A 40% interest to Richard Sundberg, Trustee of the Leslie Jill C Sundberg Residual Trust, Dated 11/28/2004 and a 60% interest to Richard Sundberg and Odelia Sundberg, Trustees of the Richard and Odelia Family Trust VDT July 9th, 2020		5030040055		50.41	24.59	25.82	22.93	**47.52**	Exclusive	Berylwood
1148	Sunshine Agriculture, Inc.	Main Ranch	1100050010 1100050030	02N20W04B01 02N20W04F01 02N20W04F02 03N20W34L01 03N20W34L02	2,029.99	1,015.00	1,015.00	901.46	**1,916.46**	N/A	N/A
1150	John Moffatt Grether, Trustee of the GST Exempt Exemption Trust and the Survivor's Administrative Trust under the Grether Family Trust, dated September 12, 1989	Roberto	1100091040 1100120230	02N21W10G03	85.69	73.51	12.19	10.83	**84.34**	Hybrid	Del Norte
1151	Dorcas H. Thille, Trustee of the Dorcas H. Thille Trust		1090061070 1090061080 1090061150		148.13	109.45	38.67	34.34	**143.79**	Exclusive	Zone
1152	Tschirhart Trust, Donald/Jean		1080140285 1100040105 1100040165 1100040425	03N20W32H03 03N20W32K01	206.35	193.14	13.21	11.73	**204.87**	N/A	N/A
1153	Benjamin C. Vasquez and Leonita C. Vasquez, husband and wife as joint tenants, as to an undivided 70% interest and Michael Contreras Vazquez and Yvonne Herrera Vasquez, husband and wife as joint tenants, as to an undivided 20% interest and West Coast Harvesting, Inc., a California corporation, as to an undivided 10% interest, all as tenants in common.		1100220050	02N20W10G01	157.93	93.77	64.16	56.98	**150.75**	Hybrid	Zone
1154	VH Farms LP	VH Farms LLC	1100210330		31.85	17.96	13.88	12.33	**30.29**	Exclusive	Berylwood
1155	Joshua L. Waters, Trustee for the the Joshua Exempt Trust, et al.		5000210085 5000210095		87.33	46.31	41.02	36.43	**82.74**	Exclusive	Thermic
1156	Waters Ranch, LP		5000130070 5000130110	03N19W30E06	292.55	122.68	169.87	150.87	**273.55**	N/A	N/A
1157	Waters Ranch, LP		5000200040 5000210110 5000210240		348.16	164.12	184.04	163.45	**327.57**	Exclusive	Thermic
1158	Waters & Sons Farms LP	Waters & Sons Farms LP	1080170115 5000090165	03N19W30D02	93.55	51.54	42.00	37.30	**88.84**	N/A	N/A

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1159	Magana Ranch, LLC		1100060165 1100430025	03N20W34J01 03N20W34J01m3 03N20W34J02 03N20W34J03 03N20W34J03m3	145.38	68.59	76.79	68.20	**136.79**	N/A	N/A
1160	Krista Van Wagner and Brent Van Wagner, wife and husband, as joint tenants		5030020200	03N20W25R03 03N20W36A04	24.73	24.73	0.00	0.00	**24.73**	N/A	N/A
1161	JohnLillian Farms LLC, a California limited liability company		5030020410 5030030290	03N20W25R03 03N20W36A04 03N20W36L01	40.50	23.16	17.34	15.40	**38.56**	N/A	N/A
5000	Jesus Bravo Ahumada, a married man as his sole and separate property		5030020165	03N20W36A04	49.12	28.09	21.03	18.68	**46.77**	N/A	N/A
1162	Patsy D. Waters, Trustee for the 1994 Bypass Trust		5000210105		90.49	45.01	45.48	40.39	**85.40**	Exclusive	Thermic
1163	Ronald and Nickoletta Partain Family Trust, Ronald Partain, Trustee	Wild Swan Ranch	5030020145	03N19W17Q01	30.83	16.70	14.13	12.55	**29.25**	N/A	N/A
1166	Wise Orchards at Somis LLC	Somis Orchards	1100060385	03N20W34G01	92.85	42.87	49.97	44.38	**87.25**	N/A	N/A
1167	Wise Orchards at Somis LLC	Wise Orchards I	5030040085		43.30	26.80	16.50	14.65	**41.45**	Exclusive	Berylwood
1169	Wonderful Citrus, LLC		1100010065	03N21W36Q02 03N21W36R03	417.67	285.77	131.89	117.14	**402.91**	N/A	N/A
1170	Lemon 500, LLC		1120010025 1120010035 1120010045 1120010055 1120010065 1120010075 1120010085 1120010095 1120010105 1120010115 1120010125 1120010135 1120020025 1120020035 1120020045 1120020055 1120020065 1120020075 1120020085 1120020095 1120020105	02N20W06J01 02N20W06R03	1,126.03	770.44	355.59	315.81	**1,086.25**	N/A	N/A
1171	Yong, Jeffrey		1080162055 1080170015 5030010080 5030010415	03N20W26H01	117.26	99.47	17.79	15.80	**115.27**	N/A	N/A
1178	Audelio Martinez and Renato Martinez	Somis Ranch	1610060015		73.78	40.82	32.97	29.28	**70.10**	Exclusive	Zone
1179	Ali Seyedi Revocable Trust dated 12/30/2019, Ali Seyedi, Trustee		1100420065		38.71	20.14	18.57	16.49	**36.63**	Exclusive	Rancho Canada
1180	JJM Somis Ranch, LLC	JJM Somis	1100150105		78.32	70.22	8.10	7.19	**77.41**	Exclusive	Zone
1181	Mary Ann Wehrheim, Trustee of the Wehrheim Family Trust		5030050365 5030050390	02N20W02J02	79.91	47.61	32.30	28.69	**76.30**	N/A	N/A
1188	Larry Raymond, as Trustee of the Rayday Survivors' Trust		5030020320	03N20W36G02	35.02	23.01	12.01	10.67	**33.68**	N/A	N/A
1189	Timothy Hoke and Barbara Hoke		5030060145	02N20W01E03	46.55	21.77	24.78	22.01	**43.78**	N/A	N/A
1190	Gordon and Luanne Hilton		5030020330	03N20W36G02	36.88	21.52	15.37	13.65	**35.17**	N/A	N/A
1191	Wisam Salem and Athra Salem	Empty Saddle Ranch	5030020150	03N20W36G02	36.65	21.80	14.84	13.18	**34.98**	N/A	N/A
1192	JRRE Horizon LLC	Rancho Vista Allegre	1100230405	03N20W28J04	66.52	39.26	27.26	24.21	**63.47**	N/A	N/A

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1193	Thomas A. Kestly, as Trustee for the Thomas A. Kestly Family Trust 2003	K-1 Ranch a.k.a. Kestly AG	5030030305	03N20W36P01	37.97	22.54	15.43	13.70	**36.24**	N/A	N/A
1194	Alfonso Gonzalez, Trustee of the Alfonso Gonzalez 2013 Separate Property Trust	Rancho San Jan	5030060285	02N20W01J01	24.91	24.91	0.00	0.00	**24.91**	N/A	N/A
1195	Brian A. Lee and Maria G. Lee as Trustees of the Lee Family Trust	Rancho Maria	5030020360	03N20W36G02	25.43	23.45	1.99	1.77	**25.22**	N/A	N/A
1196	Lynch Land & Cattle, LLC, et al.	Lynch Ranch	1080110310 1080110320 1080110340	03N20W27B03 03N20W27G05	37.99	37.99	0.00	0.00	**37.99**	N/A	N/A
1197	Charles Blanc		5030020185	03N20W36G02	28.71	20.80	7.91	7.03	**27.83**	N/A	N/A
3101	Westfield Farms		1630020415		22.91	15.66	7.26	6.45	**22.11**	Exclusive	Arroyo Las Posas
3102	Spencer E. Love		1630010620		28.07	19.18	8.89	7.90	**27.08**	Exclusive	Arroyo Las Posas
3103	Spencer E. Love		1630020565		1.34	0.91	0.42	0.37	**1.28**	Exclusive	Arroyo Las Posas
3104	Roy T. Butera, Trustee of the Butera Family Trust dated March 9, 1998		1630020605		28.44	19.43	9.00	7.99	**27.42**	Exclusive	Arroyo Las Posas
3105	Kirpal Dhaliwal, et al.		1630020550		23.25	15.89	7.36	6.54	**22.43**	Exclusive	Arroyo Las Posas
3106	Keith and Laura Huss, Trustees of the Huss Family Trust dated October 22, 2013		1630010755		34.23	23.39	10.84	9.63	**33.02**	Exclusive	Arroyo Las Posas
3107	Joseph W. and Lisa Sutter, Trustees of the Sutter Family Trust u/d/t dated October 27, 2007		1630020250 1630020280 1630020290		12.17	8.32	3.85	3.42	**11.74**	Exclusive	Arroyo Las Posas
3110	Jesus Jr. and Maribel Aguilera, Trustees of Aguilera Family 2015 Revocable Trust dated February 11, 2015		1630020210		43.74	29.89	13.85	12.30	**42.19**	Exclusive	Arroyo Las Posas
3111	Glen R. Carmichael and Kimberly T. Carmichael, Trustees of the Glen Carmichael and Kimberly Carmichael Joint Living Trust		1630010290		42.88	29.30	13.58	12.06	**41.36**	Exclusive	Arroyo Las Posas
3112	Chirag and Khushbu Dalsania		1630020585		28.21	19.27	8.93	7.93	**27.20**	Exclusive	Arroyo Las Posas
3113	Benjamin and Leonila Vazquez		1630020200		33.01	22.56	10.45	9.28	**31.84**	Exclusive	Arroyo Las Posas
3114	Alan Clark Goddard and Deborah Lynne Goddard		1630020270		0.12	0.08	0.04	0.04	**0.12**	Exclusive	Arroyo Las Posas
3201	8201 Bixby Road LLC		1080180045 1080180085		55.12	36.44	18.68	16.59	**53.03**	Exclusive	Balcom-Bixby
3203	Tom & Ruth Millington		1080100155		4.72	2.44	2.29	2.03	**4.47**	Hybrid	Balcom-Bixby
3204	Patty Grubman (The City Farm)		1080180075 1080180095	03N20W27G07	20.83	16.84	3.99	3.54	**20.38**	Hybrid	Balcom-Bixby
3205	Waters Family Ranches Oasis - Caldwell Morris K Tr		1100060465		23.94	23.94	0.00	0.00	**23.94**	Hybrid	Balcom-Bixby
3206	John & Cynthia Schoustra		1100060455		28.12	28.12	0.00	0.00	**28.12**	Hybrid	Balcom-Bixby
3207	Marlene Valter		1100230045		0.89	0.89	0.00	0.00	**0.89**	Hybrid	Balcom-Bixby
3210	Mark Ellrott		1080161105	03N20W27H02	1.85	1.85	0.00	0.00	**1.85**	Hybrid	Balcom-Bixby
3301	Aceves, Jose L. and Donald M. Herman (Plants Plus)		1100071040		16.35	10.11	6.24	5.54	**15.65**	Exclusive	Berylwood
3302	Shen, Xiaoyang		1100072040		18.72	13.21	5.51	4.89	**18.10**	Exclusive	Berylwood
3304	VIK Holdings, LLC, a California limited liability company		5030040175		70.62	41.31	29.32	26.04	**67.35**	Exclusive	Berylwood
3305	Ventura County Nursery		1100220075		16.74	8.02	8.72	7.74	**15.76**	Exclusive	Berylwood
3306	McMahon, Julian		1100210320		36.13	15.15	20.98	18.63	**33.78**	Exclusive	Berylwood

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3307	Balcom Canyon Ranch, LLC c/o Matthew Lamishaw		1100210100		42.19	29.87	12.32	10.94	**40.81**	Exclusive	Berylwood
3309	Avalos, Heliodoro and Yadira Trustees (Laguna - Posita Ranch)		1100072050		28.17	11.81	16.36	14.53	**26.34**	Exclusive	Berylwood
3310	Berney, Charles and Carol		1100080015 1100080060		40.81	30.20	10.61	9.42	**39.62**	Exclusive	Berylwood
3312	Hameed, Rashid & Salmeen		1100071185		16.28	12.12	4.16	3.69	**15.81**	Exclusive	Berylwood
3313	Servin, Vincent W. Trust, pledged CCFLB		5030040045		58.38	34.10	24.28	21.56	**55.66**	Exclusive	Berylwood
3316	Maryann McCormick		1100072060 1100080080		65.37	34.58	30.79	27.35	**61.93**	Exclusive	Berylwood
3319	Amelia Lujan & Juan Lujan	El Encanto	1100080075		21.57	15.07	6.50	5.77	**20.84**	Exclusive	Berylwood
3321	Ivan and Jennifer Amodei Family Trust		1100210270		45.64	33.45	12.19	10.83	**44.28**	Exclusive	Berylwood
3323	Becerra Roberto and Maria Trustees, pledged to CCFLB		5030040225		48.96	24.27	24.69	21.93	**46.20**	Exclusive	Berylwood
3330	Lim, Basilio And Rosie Chu Lim Trustees, pledged to CCFLB		5030040180 5030040200		92.70	45.72	46.98	41.72	**87.44**	Exclusive	Berylwood
3331	Miguel Magdaleno, Trustee of the Miguel Magdaleno Living Trust Dated April 4, 2002		1630020745 1630020755 1630020775 1630020785 1630031365 1630031375	02N20W10N01	466.19	263.40	202.79	180.11	**443.51**	Hybrid	Berylwood
3333	Javier A. Rodriguez and Gabrielle R. Rodriguez, husband and wife as community property with right of survivorship		1100071155		7.55	4.35	3.20	2.84	**7.19**	Exclusive	Berylwood
3334	Kapigian, John and Linda, pledged to Ames & Marjorie Borrell		1100071205		4.82	3.76	1.06	0.94	**4.70**	Exclusive	Berylwood
3335	Baron, Richard A. & Sandra		5030040195 5030040215		38.50	28.62	9.88	8.77	**37.39**	Exclusive	Berylwood
3338	Valley Growers (Under Tash APN)		1100220085		27.36	15.32	12.05	10.70	**26.02**	Exclusive	Berylwood
3342	Gatling, Richard E. or Bonnie L. Gatling		1100072070		13.03	12.26	0.77	0.68	**12.94**	Exclusive	Berylwood
3343	Rosales, Rojalio		1100071050		17.90	10.17	7.73	6.87	**17.04**	Exclusive	Berylwood
3344	Sasaki and Suzuki, pledged to Equitable (Laguna Sasaki)		1100072020		31.49	13.20	18.28	16.24	**29.44**	Exclusive	Berylwood
3345	Tash Trust, George and Debra as Trustees		1100210290		25.91	10.86	15.05	13.37	**24.23**	Exclusive	Berylwood
3346	Lucas, Thomas and Kim Darlene Staats		5030040035		51.54	21.89	29.65	26.33	**48.22**	Exclusive	Berylwood
3348	Benjamin Ventura Moreno, a single man and Ricardo Corona and Diana Pina Arevalo, husband and wife		5030040075		25.70	10.78	14.92	13.25	**24.03**	Exclusive	Berylwood
3501	Biocca, Siro		1090032120		41.07	41.07	0.00	0.00	**41.07**	Exclusive	Del Norte
3502	Bliss Trust		1100100155		21.00	21.00	0.00	0.00	**21.00**	Exclusive	Del Norte
3503	Brown, Nicholas		1100110150		3.86	1.62	2.24	1.99	**3.61**	Exclusive	Del Norte
3504	Friel Las Posas LLC		1100092155		58.45	49.55	8.90	7.90	**57.45**	Exclusive	Del Norte
3505	Lewis, James		1100100145 1100100160		25.49	18.46	7.03	6.24	**24.70**	Exclusive	Del Norte
3506	Milligan Ranch Partnership, LP		1100092140 1100092230		175.32	141.10	34.22	30.39	**171.49**	Exclusive	Del Norte
3507	Plum Vista		1090042065		227.27	227.27	0.00	0.00	**227.27**	Exclusive	Del Norte
3508	R Attilio/D Vanoni		1090032040 1090032050		109.83	78.98	30.85	27.40	**106.38**	Exclusive	Del Norte
3509	Thompson, Brian		1100110145		14.71	11.29	3.41	3.03	**14.32**	Exclusive	Del Norte
3510	Vorbeck, Alexandra		1100100225 1100100245 1100100255		17.98	13.13	4.85	4.31	**17.44**	Exclusive	Del Norte
3511	Wilhite, R.J.		1100092115 1100092135		35.50	25.02	10.48	9.31	**34.33**	Exclusive	Del Norte
3601	Bought The Farm, LLC	Lot 01	5030071035		30.40	12.75	17.65	15.68	**28.43**	Exclusive	Fuller Falls
3602	Katherine Cannon & Oliver Hutchinson	Lot 02	5030071025		29.10	19.46	9.64	8.56	**28.02**	Exclusive	Fuller Falls
3603	Rodney A. Spicer & Suzan R. Hall-Spicer	Lot 03	5030071015		1.45	1.02	0.43	0.38	**1.40**	Exclusive	Fuller Falls

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Draft LPV Agricultural Groundwater Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Wells	Allocation Basis (AF)	Base Agricultural Allocation (AF)	Supplemental Agricultural Allocation (AF)	Annual Supplemental Allocation (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
3605	Guzman Investments and Loan Inc.	Lot 05	5030072135		33.36	21.76	11.60	10.30	**32.06**	Exclusive	Fuller Falls
3606	Jeffrey S. Yong & Margaret K. Yong	Lot 06	5030072145		86.91	52.31	34.60	30.73	**83.04**	Exclusive	Fuller Falls
3607	Luzyro, LLC	Lot 07	5030072075		45.29	29.88	15.41	13.69	**43.57**	Exclusive	Fuller Falls
3608	Mustang Creek Ranch, LLC	Lot 08	5030072155		70.83	29.84	40.99	36.40	**66.24**	Exclusive	Fuller Falls
3609	PenMeg LLC	Lot 09	5030072325		126.44	55.21	71.22	63.25	**118.46**	Exclusive	Fuller Falls
3610	Walter E. Johnson and Dawn-Marie Johnson, Trustees of the Johnson Family Trust	Lot 10	5030072285		53.93	25.12	28.81	25.59	**50.71**	Exclusive	Fuller Falls
3611	Vista 11, LLC	Lot 11	5030072305		64.42	37.03	27.40	24.34	**61.37**	Exclusive	Fuller Falls
3612	Patrice McNicoll	Lot 12	5030072255 5030072265		73.43	39.75	33.68	29.91	**69.66**	Exclusive	Fuller Falls
3613	GFO, LLC	Lot 13	5030072195 5030072275		116.89	54.58	62.31	55.34	**109.92**	Exclusive	Fuller Falls
3614	Josep J. Bilic, Trustee of the Bilic Living Trust Dated April 10, 1984	Lot 14	5030072205		59.49	29.25	30.24	26.86	**56.11**	Exclusive	Fuller Falls
3615	Fremont HGS, LLC	Lot 15	5030072215		61.95	27.05	34.90	31.00	**58.05**	Exclusive	Fuller Falls
3616	Moshe Ben-Dayan & Stephanie McColgan	Lot 16	5030072225		56.34	23.63	32.72	29.06	**52.69**	Exclusive	Fuller Falls
3617	John Berns, Trustee of the Geraldine P. Berns Family Trust, Establish 17, 1987	Lot 17	5030072035		64.88	27.21	37.67	33.46	**60.67**	Exclusive	Fuller Falls
3618	PenMeg, LLC	Lot 18	5030072095		56.88	29.98	26.91	23.90	**53.88**	Exclusive	Fuller Falls
3619	Mark A. Mallas and Dawn-Marie Johnson, Trustees of the Mallas Family Trust Dated 7-9-1991, and Mark A. Mallas	Lot 19	5030072105		54.19	29.29	24.90	22.11	**51.40**	Exclusive	Fuller Falls
3620	GFO, LLC	Lot 20	5030072235		119.18	51.74	67.44	59.90	**111.64**	Exclusive	Fuller Falls
3702	Steve George and Michele R. George, Trustees of the George Family Revocable Trust, dated January 25, 2005		1100010175		21.97	21.66	0.31	0.28	**21.94**	Exclusive	La Loma Ranch
3703	Ronald V. Boch and Lois R. Boch, Trustees of the Boch Family Revocable Trust dated November 4, 1998	Boch Ranch	1100010185		48.14	25.44	22.70	20.16	**45.60**	Exclusive	La Loma Ranch
3704	Steve George and Michele R. George, Trustees of the George Family Revocable Trust, dated January 25, 2006		1100010195		24.96	24.96	0.00	0.00	**24.96**	Exclusive	La Loma Ranch
3705	Bruce Bennett and Patricia Conway Bennett, Trustees of the Bruce Bennett and Patricia Conway Bennett Trust established January 7, 2007		1100010205		12.57	12.57	0.00	0.00	**12.57**	Exclusive	La Loma Ranch
3801	Timothy W. Huddleston and Lisa M. Huddleston	Lot 1	1100230315		11.61	11.61	0.00	0.00	**11.61**	Exclusive	Las Lomas
3802	Claude R. Goodman & Loraine S. Goodman, Trustees of The Claude R. Goodman and Loraine S. Goodman Family Trust, dated September 25, 2003	Lot 2	1100230325		1.09	1.01	0.08	0.07	**1.08**	Exclusive	Las Lomas
3804	Charles R. Knowles Jr. and Marie L. Knowles, Trustees, or their successors in trust of the Knowles Family Trust D.T.D. 3/9/93	Lot 4	1100230305		30.06	21.88	8.17	7.26	**29.14**	Exclusive	Las Lomas
3807	Paul R. Jacques	Lot 7	1100230365		0.59	0.55	0.04	0.04	**0.59**	Exclusive	Las Lomas
3808	Kathleen Reinhard, Trustee of the Bruder-Reinhard Family Trust-Survivor's "A" Trust	Lot 8	1100230375		13.22	12.00	1.22	1.08	**13.08**	Exclusive	Las Lomas
3901	James E. Pierce	Somis Nursery	1100420115		16.71	7.01	9.70	8.61	**15.62**	Exclusive	Rancho Canada
4101	Miguel Magdaleno, Jr., Trustee of the Magdaleno Living Trust dated April 4, 2002		5000140065		17.16	10.12	7.04	6.25	**16.37**	Exclusive	Thermic
4102	Louis McCutcheon and Anne McCutcheon		5000140095		56.57	29.15	27.42	24.35	**53.50**	Exclusive	Thermic
4103	Romas		5000140015		306.21	128.41	177.80	157.91	**286.32**	Exclusive	Thermic
4201	AMS Craig LLC, a Delaware limited liability company		1100210120		23.11	18.64	4.46	3.96	**22.60**	Hybrid	Zone
4202	Marshall T. Allen and Concepcion V. Allen, as co-trustees of the Marshall T. Allen and Concepcion V. Allen 1990 Revocable Inter Vivos Trust u/d/t dated December 5, 1990	Allen Ranch	1100170375 1100170385		12.38	12.26	0.12	0.11	**12.37**	Exclusive	Zone
4203	Benjamin C. Vasquez and Leonila C. Vasquez, Trustees of the Vazquez Trust dated July 7, 2021, as community property		1100150040		28.55	15.29	13.26	11.78	**27.07**	Exclusive	Zone

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Draft LPV Agricultural Groundwater Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Wells	Allocation Basis (AF)	Base Agricultural Allocation (AF)	Supplemental Agricultural Allocation (AF)	Annual Supplemental Allocation (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
4205	Mariette L. Menne, Trustee of The Patricia A. Menne Survivor's Trust, created for the benefit of the surviving spouse, under the terms of The David and Patricia Menne Family Trust Dated August 23, 1999, as Amended		1550270035		87.07	87.07	0.00	0.00	**87.07**	Exclusive	Zone
4208	Ehud Ariav Enterprises, Inc.		1100170565		22.00	22.00	0.00	0.00	**22.00**	Exclusive	Zone
4209	Agoure Ranch, LLC		1100200215		64.00	64.00	0.00	0.00	**64.00**	Exclusive	Zone
4210	Fred A Sharl, Ernest R Nichols, Arthur L Nichols, Vincent E Gisler		1100120180		154.98	106.68	48.30	42.90	**149.58**	Exclusive	Zone
4211	Helen Elaine Cavaletto, Trustee of the Cavaletto Survivor's Trust dated December 29, 2013, 403 shares; Richard Cavaletto and Melanie Cavaletto, Trustees of the Cavaletto Trust dated December 29, 2014, 57 shares; Gregory C. Hanger and Christina M. Hanger, Trustees of the Hanger Trust dated March 19, 2009, 57 shares		1100120035		93.15	64.09	29.06	25.81	**89.90**	Exclusive	Zone
4213	Soon Ja Lee, as Trustee of The Lee Family Trust, dated March 19, 1988		1100150065		54.44	35.77	18.67	16.58	**52.35**	Exclusive	Zone
4214	Karen P. Green, a married woman as her sole and separate property, and Cynthia A. Burdullis, an unmarried woman, each as to an undivided 50% interest as tenants-in-common		1100141065 1100141075		76.88	37.31	39.57	35.14	**72.45**	Exclusive	Zone
4215	Marilyn E. Smith, Trustee, Marilyn E. Smith 1997 Revocable Trust dated May 14, 1997		1100141080		18.77	11.74	7.03	6.24	**17.98**	Exclusive	Zone
4216	Price Road Ranch Partners, LLC		1100141100 1100141140		105.97	81.68	24.30	21.58	**103.26**	Exclusive	Zone
4217	Rancho Limonada LLC		1100170330 1100170340 1100170350 1100170405 1100170445 1100170505 1100170525 1100170545		211.86	137.47	74.39	66.07	**203.54**	Exclusive	Zone
4220	Elizabeth Pajka		1100160185 1100160205		14.63	6.13	8.49	7.54	**13.67**	Exclusive	Zone
4221	Urban-D Ranch Limited Partnership		1610050030		23.57	9.89	13.69	12.16	**22.05**	Exclusive	Zone
4225	Terry Noriega, as Trustee of the Noriega Family Trust dated January 26, 1996		1610010180		42.21	32.41	9.80	8.70	**41.11**	Exclusive	Zone
4226	Terry Noriega, as Trustee of the Noriega Family Trust dated January 26, 1996		1610010170		47.76	33.03	14.73	13.08	**46.11**	Exclusive	Zone
4228	AMS Craig LLC, a Delaware limited liability company	C & R Ranch	1100200255		22.79	21.56	1.23	1.09	**22.65**	Exclusive	Zone
4232	The Lim Family Trust U/D/T 02-01-90, Basilio Y. Lim, Trustee and Rosie C. Lim, Trustee		1100200195		40.05	20.42	19.63	17.43	**37.85**	Exclusive	Zone
4233	Donal N. Ziemer and Ann L. Ziemer, Trustees of the Ziemer Family Trust established November 14, 1980		1560121050		20.02	9.65	10.37	9.21	**18.86**	Exclusive	Zone
4237	DFK Corporation, a California Corporation		1100141045 1100141110		100.82	100.82	0.00	0.00	**100.82**	Exclusive	Zone
4242	George Tash and Debra B. Tash, Trustees of the Community Trust created under the George Tash and Debra B. Tash Intervivos Trust Agreement dated Nov. 25, 1985, fully reinstated May 19, 1999		1100170585		46.57	30.54	16.03	14.24	**44.78**	Exclusive	Zone
4244	Highwood Farms LLC		1100352020		32.57	20.37	12.20	10.84	**31.21**	Exclusive	Zone
4245	James E. Pierce and Janice Pierce, Trustees of the James E. Pierce and Janice Pierce Revocable Trust, established August 15, 2003		1100390045		19.24	19.24	0.00	0.00	**19.24**	Exclusive	Zone

Draft LPV Agricultural Groundwater Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Wells	Allocation Basis (AF)	Base Agricultural Allocation (AF)	Supplemental Agricultural Allocation (AF)	Annual Supplemental Allocation (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
4247	Somis Farm, LLC		1100150050		78.30	45.52	32.79	29.12	**74.64**	Exclusive	Zone
4253	Little Bison Farm LLC		1100170180		90.51	44.09	46.43	41.24	**85.33**	Exclusive	Zone
4257	Eppy Ranch, LLC		1550270055		29.17	23.43	5.74	5.10	**28.53**	Exclusive	Zone
4259	Nancy D. O'Reilly		1100200305		0.99	0.99	0.00	0.00	**0.99**	Exclusive	Zone
4260	Nicandro Luna and Ernestina Luna, husband and wife, as joint tenants		1100240115		1.83	0.92	0.91	0.81	**1.73**	Exclusive	Zone
4261	Paul D. Burns and Lisa A. Burns, Co-trustees of the Paul and Lisa Burns Family Trust		1630010495 1630010815 1630010835		16.46	6.90	9.56	8.49	**15.39**	Exclusive	Zone
4262	Rancho Largo, LLC		1100120155		28.62	28.62	0.00	0.00	**28.62**	Exclusive	Zone
4263	Benjamin Vasquez and Leonila C. Vasquez, husband and wife as joint tenants		1100220040	02N20W10G01	104.35	66.68	37.67	33.46	**100.14**	Hybrid	Zone
4264	James R. Thiessen, an unmarried man; James R. Thissen, Trustee of the James R. Thiessen Trust dated November 30, 2012		1100180145 1100180165		17.93	16.28	1.64	1.46	**17.74**	Exclusive	Zone
	Total Agricultural Allocations				**34,332.69**	**21,400.98**	**12,931.69**	11,485.17	**32,886.15**		

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Note:
WMID's in green - changes in ownership.

Draft LPV Domestic Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Wells	Allocation Basis (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
1074	Hypericum Land Company LLC; Hypericum Interests LLC (Domestic - Conditional)		Exhibit G		24.00	**0.00**	N/A	N/A
1107	Mittag Ranches	RC - Domestic Well	1090061260	02N21W16A01	1.00	**0.96**	N/A	N/A
1131	James A. Waters III, Trustee For The J&H Revocable Trust; James A. Waters III, Trustee For The Andrew Exempt Trust	Balcom Canyon Ranch	1080100025	03N20W28J05	1.08	**1.03**	N/A	N/A
1177	Butler Ranch Mutual Water Company (Domestic - Conditional)		Exhibit G		24.00	**0.00**	N/A	N/A
1182	Hagel, Timothy et al	Meadows of Moorpark	1080161115	03N20W26C01 03N20W26D01	1.00	**0.96**	N/A	N/A
1183	Julie Rhoads		1100230055	03N20W27M01m2	1.05	**1.01**	N/A	N/A
1184	Marlene Valter		1100230045	03N20W27M01	1.00	**0.96**	N/A	N/A
1185	Fox Canyon Farms, LLC		1100230285	03N20W27N05	1.00	**0.96**	N/A	N/A
1186	Bill Poole		1100230235	03N20W28P02	1.00	**0.96**	Hybrid	Balcom-Bixby
1187	Waters Family Ranches Oasis - Caldwell Morris K Tr		1100060465	03N20W27K02	1.00	**0.96**	N/A	N/A
3308	The Kirstin K. Doss Trust		1100071175		2.69	**2.58**	Exclusive	Berylwood
3332	The Ehrhardt Family Trust dated January 9, 2020		1100080090		1.00	**0.96**	Exclusive	Berylwood
3400	Crestview Mutual Water Company (Domestic)		Exhibit E	02N21W22A01 02N21W22G01 02N21W28A02	717.00	**686.48**	N/A	N/A
3535	Del Norte Water Company (Domestic)		Exhibit F		48.99	**46.90**	Exclusive	Del Norte
3536	Del Norte Water Company (Domestic - Conditional)		Exhibit H		25.00	**0.00**	Exclusive	Del Norte
3706	John R. Mathes, Trustee of the Jhn R. Mathis Trust U/T/A Dated August 7, 1992	Lot 8	1100110195		3.44	**3.29**	Exclusive	La Loma Ranch
4229	Arnold and Sandra Peterson, husband and wife as joint tenants		1100382215		2.03	**1.94**	Exclusive	Zone
4239	Frank Keith McCallion and Janell Case		1100240105		1.73	**1.66**	Exclusive	Zone
4258	Michael A. Spahr and Jeanne M. Spahr, Trustees of the Spahr 2000 Family Trust Dated May 10, 2000		1100240225		1.84	**1.76**	Exclusive	Zone
4267	Michael James Kytlica and Vladimir Ian Kytlica		1100240485		1.36	**1.30**	Exclusive	Zone
Total Domestic Allocations					788.21*	**754.65**		

Note:

Domestic - Conditional: Conditions set forth in the Judgment for conditional allocation not met, thus conditional allocation not accrued for WY2025

788.21* - Allocation Basis total excludes conditional allocations for WY2025

Draft LPV Commercial Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Mutual Water Company Shareholder	Allocation Basis (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
1033	Claridge, Gail, Claridge Family Trust		1100210030 5030030155 5030073025	Yes	13.52	**12.94**	Exclusive	Berylwood
1057	Golf Realty Fund, LP	Spanish Hills Country Club	1520242275 1520242305 1520251365 1520252015 1520261035 1520261075 1520261095 1520261105 1520261115 1520261125 1520261135 1520261145 1520261155 1520262075 1520281165 1520283065	No	201.23	**192.66**	N/A	N/A
1096	Mesa Union School District		1090050320 1090050340 1090050350 1090050360	Yes	17.00	**16.28**	Hybrid	Del Norte
1104	City of Moorpark		5060010280 5060010640	No	96.76	**92.64**	N/A	N/A
1130	Saticoy Partners, LLC	Saticoy CC Golf	1090020150 1090020170 1090020285 1090020290 1090311080 1090340040	No	304.66	**291.69**	N/A	N/A
1137	Saticoy Properties LLC/Grimes Rock Inc * Transfer of this Allocation Basis is limited to 50% of the total.		5000050135 5000090055 5000090260 5000090270 5000090280 5000090290 5000090325 5000090355 5000090365	No	180.00	**172.34**	N/A	N/A
1141	Fox Canyon Farms, LLC		1100230285	Yes	17.84	**17.08**	Hybrid	Balcom-Bixby
1147	Sunshine Agriculture, Inc.	Stines Property	1100230355	Yes	1.53	**1.46**	Exclusive	Las Lomas
1172	ZIP TWO, LLC		1110010025 1110010035 1110010065 1110010075 1110010095 1110010115 1110010125	No	326.52	**312.62**	N/A	N/A
1200	City of San Buenaventura			No	57.86	**55.40**	N/A	N/A

Draft LPV Commercial Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Mutual Water Company Shareholder	Allocation Basis (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
2011	Ventura County Waterworks District No. 1 - ELPMA		N/A	N/A	2,661.76	**2,548.44**	N/A	N/A
2191	Ventura County Waterworks District No. 19 - ELPMA		N/A	N/A	499.71	**478.44**	N/A	N/A
2192	Ventura County Waterworks District No. 19 - WLPMA		N/A	N/A	1,990.46	**1,905.72**	N/A	N/A
3202	Julie Rhoads		1100230055	Yes	10.55	**10.10**	Hybrid	Balcom-Bixby
3208	Anderson Trust		1080110120	Yes	5.44	**5.21**	Exclusive	Balcom-Bixby
3318	Maskrey, Francis and Joan		1100210240	Yes	25.24	**24.17**	Exclusive	Berylwood
3325	Marschewski, Thomas A. and Alison Rae Choate Marschewski		1100071145	Yes	7.02	**6.72**	Exclusive	Berylwood
3329	Gerardi, Danny		1100210280	Yes	9.27	**8.88**	Exclusive	Berylwood
3340	The Azmoun Family Trust 2003		1100071275	Yes	4.96	**4.75**	Exclusive	Berylwood
3701	Danah A. Zaman and Adel Gandomikal, Wife and Husband as Joint Tenants		1100010165	Yes	5.91	**5.66**	Exclusive	La Loma Ranch
3805	Catherine Hill, Trustee of the Hill Trust # 2 U/A Dated March 28, 1998	Lot 5	1100230345	Yes	2.79	**2.67**	Exclusive	Las Lomas
	Total Commercial Allocations				6,440.03	**6,165.87**		

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Draft LPV Mutual Water Company Allocations Water Year 2025 (08/28/2025)

WMID	Mutual Water Company	Wells	Mutual Water Company Allocation	Annual Allocation (AF) Water Year 2025
3100	Arroyo Las Posas Mutual Water Company	02N20W16B03	0.00	**0.00**
3200	Balcom-Bixby Water Association Inc., a California corporation	03N20W27H01 03N20W27H03	27.02	**24.00**
3300	Berylwood Heights Mutual Water Company	02N20W02D02 02N20W03B01 02N20W03H01 03N20W34K01	46.43	**41.24**
3500	Del Norte Water Company	02N21W09D02 02N21W09N01 02N21W18H01 02N21W18H03 02N21W18H10 02N21W18H12 02N21W18H14	40.34	**35.83**
3600	Fuller Falls Mutual Water Company	03N20W35G01 03N20W35H03	0.00	**0.00**
3700	La Loma Ranch Mutual Water Company	03N21W35R01 03N21W35R02	0.00	**0.00**
3800	Las Lomas Mutual Water Company	03N20W33B01 03N20W33B02	0.00	**0.00**
3900	Rancho Canada Water Company LLC	02N20W05J01	0.00	**0.00**
4100	Thermic Mutual Water Company	03N19W29M02 03N19W29M03 03N19W30J01 03N19W30Q01	0.00	**0.00**
4200	Zone Mutual Water Company	02N20W04R03 02N20W07R02 02N20W07R03 02N20W08E01 02N20W08F01 02N20W08M01 02N20W08Q01 02N20W09F01 02N20W09Q04 02N20W09Q05 02N20W09Q07 02N20W09R01	103.84	**92.22**

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Draft LPV Mutual Water Company Allocations Water Year 2025 (08/28/2025)

WMID	Mutual Water Company	Wells	Mutual Water Company Allocation	Annual Allocation (AF) Water Year 2025
	Total Mutual Water Company Allocations		217.63	**193.29**

Approval of Las Posas Valley Basin Annual Water Right Allocations for Water Year 2025 (October 1, 2025 – September 30, 2026)

Item No. 20 – September 24, 2025

Farai Kaseke (PhD, PH, PMP, CSM)
Assistant Groundwater Manager

Background

- Las Posas Valley Adjudication Judgment (Judgment):
  - adjudicates Groundwater rights within the LPV Groundwater Basin
  - establishes and implements the Physical Solution set forth in the Judgment
- Annual Allocations (AA) - dependent on Operating Yield (OY) of the Basin
- Judgment sets the OY at 40,00 AF until at least WY2024 (Judgment § 4.9.1.1)
- Total Allocation Basis (41, 851.57 AF) > Initial OY (40, 000 AF) (Judgment § 4.9.1.1)
- Rampdown (41, 851.57 AF - 40, 000 AF = 1, 851.57 AF)
- AA calculations - protocols & formulas in Exhibit D to the Judgment (Judgment § 4.2)
- January 22, 2025 Watermaster approved extension of Initial OY into WY 2025

Discussion and Timeline

- Staff reached out to Conditional Domestic Allocation holders *(July 29 – August 29, 2025)*
  - Hypericum Land Company, LLC & Hypericum Interests, LLC, August 28, 2025 (*Exhibit 20A)*
  - Butler Ranch Mutual Water Company, *August 28, 2025 (Exhibit 20B)*
  - Del Norte Mutual Water Company *(no response)*
- Conditions not met for accrual of Conditional Domestic Allocations for WY 2025
  - Parties reserve the right to request such allocation in the future when conditions are met
- August 28, 2025, Draft WY 2025 Groundwater Annual Allocations Calculations referred to the Policy Advisory Committee (PAC) for consultation (Judgment § 4.2)
  - Draft WY 2025 Annual Allocations Calculations posted on website (September 02, 2025)
  - PAC endorsed calculations - recommendation report *(September 04, 2025) Exhibit 20C*

Exhibit 23D - Draft Annual Allocations

Draft LPV Agricultural Groundwater Allocations Water Year 2025 (08/28/2025)

WMID	Landowner	Ranch / Property Name	Parcels	Wells	Allocation Basis (AF)	Base Agricultural Allocation (AF)	Supplemental Agricultural Allocation (AF)	Annual Supplemental Allocation (AF)	Annual Allocation (AF) Water Year 2025	Mutual Water Company Type	Mutual Water Company
1001	49 Acres Scholle Ranch LP		1100091010 1100091020 1100091030 1100120080 1100120160 1100120170	02N21W10Q03 02N21W10Q04	368.02	248.46	119.56	106.19	**354.65**	Hybrid	Del Norte
1002	Aggen Associates, LLC		1100141020 1100142010	02N21W12G01	164.71	158.61	6.10	5.42	**164.03**	N/A	N/A
1003	Aggen Partners, LP		1100142075 1100142140	02N21W12H01 02N21W12H02	219.09	148.03	71.05	63.10	**211.13**	Hybrid	Zone
1004	Samuel and Sylvia Alvarez Family Revocable Trust dated 02/20/1998, Samuel and Sylvia Alvarez, Trustees		1100200090		88.67	59.05	29.62	26.31	**85.36**	Exclusive	Zone
1005	Samuel and Sylvia Alvarez Family Revocable Trust dated 02/20/1998, Samuel and Sylvia Alvarez, Trustees		1100200080 1100200100		98.15	67.15	31.00	27.53	**94.68**	Exclusive	Zone
1006	Apricot Lane Farm Holdings, LLC	Main - Broadway	5030010025 5030010030 5030010040 5030010335 5030010395 5030020125 5030020260 5030020425	03N20W25J04 03N20W25R04	295.51	137.69	157.82	140.17	**277.86**	N/A	N/A
1007	Apricot Lane Farm Holdings, LLC	Stockton	1080170025 1080170035	03N20W24P03	67.72	57.57	10.15	9.01	**66.58**	N/A	N/A
1008	Bryce and Elaine Bannatyne Trust, Bryce Bannatyne, Trustee	Rancho Resplandor Sand Canyon	1100200240	02N20W09B01	27.43	27.31	0.12	0.11	**27.42**	N/A	N/A
1009	Bryce and Elaine Bannatyne Trust, Bryce Bannatyne, Trustee	Rancho Resplandor Moorpark	5020060010	03N19W29L01	219.05	92.96	126.09	111.99	**204.95**	N/A	N/A
1010	Bell Ranch Investors, LLC		1560180350 1560180360 1560180430	02N20W17F01 02N20W17L01	583.35	244.63	338.72	300.83	**545.46**	N/A	N/A
1011	John W. Borchard Ranches, Inc., a California corporation	Reiman Ranch	1100133230 1100133240		264.51	180.19	84.32	74.89	**255.08**	Exclusive	Zone
1012	John W. Borchard Ranches, Inc., a California corporation	Goodyear Ranch	1100133200 1100150115		67.49	45.98	21.52	19.11	**65.09**	Exclusive	Zone
1013	Farmland Reserve, Inc.,		5030050225 5030050245	02N20W01Q01 02N20W01Q02	81.00	47.86	33.13	29.42	**77.28**	N/A	N/A
1014	Berrywood Ranch, LLC, a California limited liability company		1100020090 1100020100		235.38	107.92	127.46	113.20	**221.12**	Exclusive	Zone
1015	Roberta Ann Bianchi Trust dated 04/25/1988, Roberta Ann Bianchi, Trustee		1100092170		43.28	43.28	0.00	0.00	**43.28**	Exclusive	Del Norte

DRAFT

https://s42135.pcdn.co/wp-content/uploads/2025/09/Draft-LPV-Groundwater-Allocations-WY2025.pdf

Summary

- Operating Yield of the basin is unchanged 40, 000 AF
- WY2025 Annual Allocations are similar to WY 2024 & WY2023 Annual Allocations
  - Except changes in WMID ownership

Recommendation

1. Receive and file this report; and
2. Adopt the attached Water Right Allocations Calculations for the Las Posas Valley Basin for Water Year 2025

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

September 24, 2025

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

SUBJECT: Adopt Resolution No. 2025-07 Approving a $7.25 Basin Assessment for Fiscal Year 2025-26, Water Year 2025 to Fund the Implementation and Work on Projects Included in the Las Posas Valley Basin Optimization Plan [LPV Watermaster] – *(Returning Item)*

RECOMMENDATION: Adopt Resolution No. 2025-07 approving a Basin Assessment in the amount of $7.25 per acre-foot of annual Water Right Allocation to fund the implementation and work on specified projects included in the Las Posas Valley Basin Optimization Plan (BOP).

BACKGROUND:
The judgment entered in *Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency*, Santa Barbara Sup. Ct. Case No. VENC100509700 (Judgment), requires the Watermaster, following Committee Consultation, to prepare an annual Watermaster Budget which includes: (i) the estimated annual costs of administrative management of the Basin, investigations, inspections, compliance with and enforcement of the Judgment, personnel costs, infrastructure maintenance, utilities, general operation and maintenance, and costs arising from services identified in Section 5.2.2; (ii) the estimated annual costs of the construction, operation, maintenance, and administration of Groundwater enhancement or Basin Optimization Projects and reference to the five-year budget included within the Basin Optimization Plan as identified in Section 5.3.2.6; and (iii) any adjustments to the Basin Assessment.

The Watermaster Budget is funded by Basin Assessments (Judgment, § 7.5). The Judgment provides:

> Management of the Basin will require funding through periodic assessments of the beneficiaries of the water delivered to the Basin. Accordingly, Watermaster, following Committee Consultation and at all times acting as an agent of the Court, shall assess all Water Right

> Holders a uniform Basin Assessment per acre-foot of Annual Allocation held by the Water Right Holder. (Judgment, § 7.2.)

The first two Watermaster budgets since the Judgment was entered, Fiscal Years (FY) 2023-24 and 2024-25, Water Years (WY) 2023 and 2024, have funded Watermaster's administrative and technical work to implement the Judgment and its new requirements and policies. At the same time, the Judgment provides that "Watermaster may reduce the amount of the Basin Assessments levied on Water Right Holders that pay an assessment to UWCD if Watermaster determines…that such a reduction is appropriate as a matter of equity." (Judgment, § 7.9.) As a result, some Water Right Holders in the western portion of the Las Posas Valley Basin (Basin) within United Water Conservation District's (UWCD) service area have raised concerns about the fairness of being required to pay Basin Assessments because they also pay replenishment fees to UWCD. For example, in April and July 2024, Del Norte Water Company (DNWC) sent letters to Watermaster protesting the collection of Basin Assessments from DNWC and requesting a refund. (See attached Exhibits 21A and 21B.) Watermaster is currently in discussion with DNWC to determine whether mediation may resolve the issues. Because of the concerns raised by DNWC and others, Watermaster recommends that your Board separately approve, invoice, and collect Basin Assessments for Watermaster's regular administrative/technical expenses and for Watermaster's project expenses. This approach would isolate funds collected for Watermaster's general administrative and technical costs from funds collected for specific BOP projects and thus facilitate implementation of specific assessments or fees for different management areas that your Board may approve as a matter of equity. (See Judgment, § 7.9.)

DISCUSSION:

On June 25, 2025, your Board approved and adopted an initial BOP as required by the Judgment. (See Judgment, §§ 5.3, 5.4.) The BOP's purpose is to evaluate and select the "Basin Optimization Projects that are likely to be practical, reasonable, and cost-effective to implement prior to 2040 to maintain the Operating Yield [for the Basin] at 40,000 AFY [acre-feet per year] or as close thereto as achievable" (Judgment § 5.3). Per the Judgment, the BOP includes a five-year budget for BOP project capital improvements, the operation and maintenance of BOP projects, as well as the annual costs of BOP projects implemented or in the process of being implemented (Judgment, § 5.3.2.6).

On July 23, 2025, your Board adopted the FY 2025-26 (WY 2025) Las Posas Valley Watermaster budget with a FY 2025-26 (WY 2025) Basin Assessment of $60.00 per acre foot of groundwater allocation to be invoiced quarterly[1]. The FY 2025-26 (WY 2025) Watermaster budget included only the costs and expenses of Watermaster's administrative and technical work to implement the Judgment throughout the Basin. It did not include the costs and expenses for any BOP projects or replenishment activities.

To date, the Watermaster has not invoiced or collected Basin Assessments for any BOP project, and therefore Watermaster does not currently have funds to implement any BOP projects.

[1] See Resolution 2025-05: https://s42135.pcdn.co/wp-content/uploads/2025/07/Resolution-2025-05.pdf

The BOP includes a specific budget that estimates the costs of developing and implementing policy frameworks, consultant procurement, administration and project planning, water negotiations and legal support for the following BOP projects (i.e., Purchase of imported Water from Calleguas Municipal Water District, Arroyo Simi-Las Posas Water Acquisition, Allocation Buyback and Reduction Program, In-Lieu deliveries to northern East Las Posas Management Area Feasibility Study and the Regional Desalter Feasibility Study) to be $290,000 in FY 2025-26 (WY 2025). This budget amount translates to a $7.25 Basin Assessment per acre-foot (AF) of annual Water Right Allocation to be invoiced and collected from each Water Right Holder. However, because of the concerns with invoicing Water Rights Holders that also pay UWCD replenishment fees, staff recommends that BOP projects be funded by a Basin Assessment to be invoiced separately and held in a separate account to be used exclusively for development, implementation, and administration of BOP projects. Accordingly, the attached resolution was prepared for the invoicing and collection of a separate Basin Assessment of $7.25/AF to be used exclusively to fund BOP projects.

On August 28, 2025, staff referred the Basin Optimization Projects Assessment to the Policy Advisory Committee (PAC) for committee consultation specifically to answer three questions (Exhibit 21C):

1. Should Watermaster approve a special Basin Assessment for the development / implementation of BOP projects?

2. Should the special Basin Assessment be set at $7.25 per acre-foot of annual allocation?

3. Should the special Basin Assessment be invoiced / collected from Water Right Holders once, twice or quarterly?

The PAC deliberated on the issue of a separate Basin Assessment for BOP projects and submitted a recommendation report to Watermaster dated September 04, 2025 (Exhibit 21D). In the recommendation report, the PAC recommended Watermaster approve the special Basin Assessment at $7.25/AF of annual Water Right Allocation to be invoiced quarterly (Exhibit 21D).

Watermaster staff has reviewed and concurred with the PAC's recommendations. Accordingly, staff recommends approving a FY 2025-26 (WY 2025) Basin Assessment of $7.25/AF of annual Water Right Allocation for the implementation and development of initial BOP projects, via proposed Resolution No. 2025-07 (Exhibit 21E). Further, for FY 2025-26 (WY 2025), staff recommends that this Basin Assessment for BOP projects be invoiced and collected quarterly with the Basin Assessment for Watermaster's administrative and technical costs/expenses related to implementing the Judgment, recently approved by your Board via Resolution No. 2025-05. When these two Basin Assessments are combined, the total amount of Basin Assessments to be levied and invoiced on each Water Right Holder will be $67.25/AF of annual Water Right Allocation (or approximately $16.82/AF of Water Right Allocation per quarter).

CONCLUSION:
Staff recommends that your Board (1) receive and file this presentation; and (2) adopt proposed Resolution No. 2025-07 authorizing a FY 2025-26 (WY 2025) Basin Assessment in the amount of $7.25/AF of annual Water Right Allocation to fund BOP projects and to be invoiced and collected with the Basin Assessment to fund Watermaster's general administrative and technical expenses on a quarterly basis.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-2954.

Sincerely,

Kudzai Farai Kaseke (PhD, PH, PMP, CSM)
Assistant Groundwater Manager

Attachments:

Exhibit 21A – DNWC Protest of Basin Assessment, April 18, 2024
Exhibit 21B – DNWC Protest of Basin Assessment, July 12, 2024
Exhibit 21C – Watermaster Consultation Request Memo to PAC, August 28, 2025
Exhibit 21D – PAC Recommendation Report, September 4, 2025
Exhibit 21E – Proposed Resolution No. 2025-07

Del Norte Water Company

Post Office Box 4065
Ventura, California 93007
Phone (805) 647-1092 Fax (805) 647-2805

April 18, 2024

Via E-Mail Transmission

Las Posas Valley Watermaster
LPV.Watermaster@ventura.org

Re: Protest of Basin Assessment - Release Date: 03/05/2024

Dear Sir or Madam:

Del Norte Water Company ("DNWC") received a Notice of Basin Assessment Release Date: 03/05/2024 made pursuant to Final Judgment filed 07/10/2023 in *Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency*, et al., Case No. VENCI00509700. A copy of said Notice is attached hereto as Exhibit "A".

As you are aware, appeals of the Judgment are pending, although it has not been stayed.

On April 6, 2024, DNWC forwarded a check to the Watermaster of the funds collected by it from its Shareholders in response to the Notice of Assessment.

DNWC, for itself and each of its Shareholders (see List of WMIDs attached hereto as Exhibit "B"), hereby Protests the payment of the Basin Assessments made, with full reservation of all applicable rights against the Las Posas Valley Watermaster, because of the provisions of Section 7.9 of the Judgment which reads:

> "7.9 **Adjustments to Basin Assessments for UWCD Assessments**. Water Right Holders located in the western portion of the Basin within the UWCD's service area presently pay assessments to UWCD, a portion of which is used to finance UWCD's ongoing activities that are designed to replenish the Basin and neighboring basins. Watermaster may reduce the amount of the Basin Assessments levied on Water Right Holders that pay an assessment to UWCD if Watermaster determines, following Committee Consultation, that such a reduction is appropriate as a matter of equity."

DNWC completed the UWCD's Semi-Annual Groundwater Production Statements (attached hereto as Exhibit "C") for the period 07/01/2023 to 12/31/2023. DNWC has partially paid 25% of the $187,832 that was due and will pay the balance on June 30, 2024.

The UWCD assessment is based on replenishment activities that benefit DNWC and its Shareholders. DNWC is informed and believes the Watermaster assessment is for activities and administration that either duplicate the activities of the UWCD or has no benefit to DNWC and its Shareholders.

DNWC apologizes that, due to clerical error, this ~~Protest~~ was not made at the time the assessment monies were forwarded to the Watermaster on April 6, 2024.

Very Truly Yours,

DEL NORTE WATER COMPANY

JOHN C. ORR, President

JCO:mjr

cc: Shareholders of DNWC

Del Norte Water Company

Post Office Box 4065
Ventura, California 93007
Phone (805) 647-1092 Fax (805) 647-2805

July 12, 2024

Via E-Mail Transmission

Las Posas Valley Watermaster
LPV.Watermaster@ventura.org

Re: Protest of Basin Assessment-Release Date 03/05/2024

Dear Sir or Madam:

By letter dated April 18, 2024, Del Norte Water Company ("DNWC") sent a letter to the Watermaster protesting the payment of the Basin Assessment based on Section 7.9 of the Final Judgment (the "April 18 Protest"). [A copy of the April 18 Protest is attached hereto as Exhibit "1".] No response has been received from the Watermaster. Please be advised that DNWC intends to seek relief pursuant to the provisions of Section 9.2 of the Final Judgment:

> Section 9.2.1.1 of the Final Judgment provides: "Any Party seeking judicial review of a Basin Management Action must have timely exhausted opportunities for relief through the submission of written comment(s) to Watermaster, either individually or through a written report submitted by PAC or TAC, concerning the Basin Management Action."
>
> Section 9.2.1.2 of the Final Judgment provides: "Prior to seeking judicial review of a Basin Management Action, Watermaster and the disputing Party(ies) shall first engage in mediation unless both Watermaster and the disputing Party(ies) agree in writing to forego mediation. Watermaster may waive the requirement to engage in mediation in which case a Party that has exhausted its administrative remedies with Watermaster may seek judicial review without having engaged in mediation."

The April 18 Protest was DNWC's good faith attempt to initiate a dialogue with Watermaster regarding Section 7.9 assessment reductions. Having received no response from Watermaster on the protested matter, DNWC has exhausted administrative remedies and will continue to pursue its sought-after remedies through the above-referenced channels. The Watermaster assessment is for activities and administration that either duplicate the activities of

the UWCD or has no benefit to DNWC and its Shareholders. Notwithstanding the protest, DNWC complied with the Notice of Assessment and paid the $187,832.00 basin assessment in full. DNWC seeks the following remedies:

1) An Amended Notice of Assessment reflecting a reduction that is proportionate to the duplicative or non-beneficial activities and administration referenced above; and

2) Reimbursement that is proportionate to the reduction in the Amended Notice of Assessment.

DNWC remains hopeful that an agreement can be reached without resorting to mediation or judicial review. Please advise whether mediation or review by the Santa Barbara Superior Court will be necessary to enforce Section 7.9 of the Final Judgment.

Very truly yours,

DEL NORTE WATER COMPANY

JOHN C. ORR, President

JCO:nsh
Attachment

cc: DNWC Board of Directors – *Via E-Mail Transmission*
Barbara Brenner, Esq. – *Via E-Mail Transmission*

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

MEMORANDUM

Date: **August 28, 2025**

To: **Policy Advisory Committee**

From: **Kudzai F. Kaseke, Assistant Groundwater Manager**

Subject: **Request for Committee Consultation on the Las Posas Valley Basin Optimization Projects Assessment.**

Dear Las Posas Valley Watermaster Policy Advisory Committee (PAC):

The Judgment requires Watermaster prepare a Basin Optimization Yield Study (Judgment, §§ 3.3, 4.10, 5.1.). The Basin Optimization Yield Study (BOYS) will establish the operating yield, and in turn the amount and rate of rampdown, in each water year (WY) through WY 2039 so that the operating yield and sustainable yield for the Las Posas Valley (LPV) Basin match by WY 2040 and thus result in the LPV Basin being managed sustainably in accordance with the Sustainable Groundwater Management Act (SGMA) (Judgment, § 4.10.2.). Critical to the development of the of BOYS is the Basin Optimization Plan (BOP), whose purpose is to evaluate and select the "Basin Optimization Projects that are likely to be practical, reasonable, and cost-effective to implement prior to 2040 to maintain the Operating Yield at 40,000 AFY [acre-feet per year] or as close thereto as achievable" (Judgment § 5.3).

On July 23, 2025, Watermaster adopted the Fiscal Year 2025-26 LPV Watermaster Budget and, based on that budget, also adopted Resolution No. 2025-05 approving a Basin Assessment of $60 per acre-foot of Water Right Holders' Annual Allocation. The 2025-26 LPV Watermaster Budget does not include estimates to the development, implementation, and administration of BOP projects (including those specifically identified in the Judgment). On June 25, 2025, following committee consultation, Watermaster adopted an initial BOP that included a five-year budget and implementation schedule per the Judgment requirements. BOP projects will be funded by a separate Basin Assessment to be held in a separate account and used exclusively for development, implementation, and administration of BOP projects. The BOP Budget estimates $290,000 in expenses for project implementation during the first year, translating to a $7.25 per acre-foot of annual Water Right Allocation to be invoiced and levied on each Water Right Holder. The cost per acre-foot of this special Basin Assessment may increase if Water Right Holders that pay replenishment fees to United Water Conservation District are required or exempted from paying the special Basin Assessment. In light of the above, Watermaster is requesting the PAC recommendations on the following issues/questions:

- Should Watermaster approve a special Basin Assessment for the development / implementation of BOP projects?
- Should the special Basin Assessment be set at $7.25 per acre-foot of annual allocation?
- Should the special Basin Assessment be invoiced / collected from Water Right Holders once, twice or quarterly?

Please provide recommendations to Watermaster by September 10, 2025.

Please contact me at 805 654 2010 or LPV.Watermaster@venturacounty.gov with any questions or concerns.

Appendix D
Schedule to Implement the Basin Optimization Projects

Project Number	Project Name	CY 2025				CY 2026				CY 2027				CY 2028				CY 2029				CY 2030			
			WY 2026				WY 2027				WY 2028				WY 2029				WY 2030						
		FY 2025-26				FY 2026-27				FY 2027-28				FY 2028-29				FY 2029-30							
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
	Initial Project Implementation Planning																								
2	**Purchase of Imported Water from CMWD**																								
	Program Policy Development																								
	Water Purveyor Engagement																								
	PAC / TAC Consultation																								
	Policy & Incentive Adopted by WM Board																								
	WM Budget Review and Board Adoption																								
	Program Implementation																								
5	**Arroyo Simi-Las Posas Water Acquisition**																								
	Negotiate Agreement with City of Simi Valley																								
	PAC / TAC Consultation																								
	WM Budget Review and Board Adoption																								
	Program Implementation																								
8	**Allocation Buyback and Reduction Program**																								
	Program Development																								
	PAC / TAC Consultation																								
	Consultant Development of Transaction Mechanics																								
	WM Budget and Adoption of Pilot Program																								
	Pilot Program																								
	Program Implementation																								
7	**In Lieu Deliveries to Northern ELPMA Feasibility Study**																								
	PAC / TAC Consultation																								
	Develop SOW & RFP																								
	WM Board Award of Consultant Contract / Review of FS																								
	Feasibility Study																								
9	**Regional Desalter Feasibility Study**																								
	Initial Water Purveyor Engagement																								
	PAC / TAC Consultation																								
	Develop SOW & RFP																								
	WM Board Award of Consultant Contract / Review of FS																								
	Feasibility Study																								

Notes: **Schedule subject to WM Board approval**

CY = calendar year; WY = water year (DWR water year definition); FY = fiscal year

Agency Activities (Administration, Consultant / Contractor Procurement, Water Negotiations, Legal, Coordination)

Feasibility study

Construction or initial phase(s) of implementation

Operation and maintenance, or ongoing program implementation / evaluation

Appendix E
5-Year Basin Optimization Projects Budget

Proj. No.	Project Name	FY 2025-26 Q1	FY 2025-26 Q2	FY 2025-26 Q3	FY 2025-26 Q4	FY 2026-27 Q1	FY 2026-27 Q2	FY 2026-27 Q3	FY 2026-27 Q4	FY 2027-28 Q1	FY 2027-28 Q2	FY 2027-28 Q3	FY 2027-28 Q4	FY 2028-29 Q1	FY 2028-29 Q2	FY 2028-29 Q3	FY 2028-29 Q4	FY 2029-30 Q1	FY 2029-30 Q2	FY 2029-30 Q3	FY 2029-30 Q4	Estimated 5-Year Project Costs
	Initial Project Implementation Planning	$25,000																				$ 25,000
	Purchase of Imported Water from CMWD																					
	Program Development		$ 15,000	$ 15,000	$ 15,000																	$ 45,000
2	*Program Implementation* [a]					$ 1,095,100	$ 1,095,100	$ 1,199,200	$ 1,199,200	$ 1,199,200	$ 1,199,200	$ 1,310,600	$ 1,310,600	$ 1,310,600	$ 1,310,600	$ 1,429,800	$ 1,429,800	$ 1,429,800	$ 1,429,800	$ 1,557,400	$ 1,557,400	$ 21,063,400
	Administration [b]				$ 5,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 165,000
	Estimated Annual Cost				**$ 50,000**				**$ 4,628,600**				**$ 5,059,600**				**$ 5,520,800**				**$ 6,014,400**	**$ 21,273,400**
	Arroyo Simi-Las Posas Water Acquisition																					
	Negotiate Agreement with City of Simi Valley		$ 15,000	$ 15,000	$ 15,000	$ 15,000																$ 60,000
5	*Program Implementation* [c]								$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 117,500	$ 1,527,500
	Administration [b]						$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 75,000
	Estimated Annual Cost				**$ 45,000**				**$ 147,500**				**$ 490,000**				**$ 490,000**				**$ 490,000**	**$ 1,662,500**
	Allocation Buyback and Reduction Program [d]																					
	Program Development		$ 20,000	$ 25,000	$ 10,000	$ 10,000	$ 10,000	$ 25,000	$ 25,000	$ 10,000												$ 135,000
	Consultant Development of Transaction Mechanics				$ 40,000	$ 40,000	$ 40,000	$ 40,000	$ 40,000													$ 200,000
8	*Pilot Program*										$ 25,000	$ 25,000	$ 25,000	$ 25,000								$ 100,000
	Program Implementation														$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 1,750,000
	Administration [b]										$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 275,000
	Estimated Annual Cost				**$ 95,000**				**$ 230,000**				**$ 160,000**				**$ 875,000**				**$ 1,100,000**	**$ 2,460,000**
	In Lieu Deliveries to Northern ELPMA Feasibility Study																					
	Develop SOW & RFP		$ 15,000	$ 15,000	$ 5,000																	$ 35,000
7	*Feasibility Study*					$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000											$ 150,000
	Administration [b]					$ 1,500	$ 1,500	$ 1,500	$ 1,500	$ 5,000	$ 5,000											$ 16,000
	Estimated Annual Cost				**$ 35,000**				**$ 106,000**				**$ 60,000**				**$ -**				**$ -**	**$ 201,000**
	Regional Desalter Feasibility Study																					
	Purveyor Engagement, Development of SOW &		$ 10,000	$ 15,000	$ 15,000	$ 10,000																$ 50,000
9	*Feasibility Study*						$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000										$ 300,000
	Administration [b]						$ 3,000	$ 3,000	$ 3,000	$ 3,000	$ 5,000	$ 5,000										$ 22,000
	Estimated Annual Cost				**$ 40,000**				**$ 169,000**				**$ 163,000**				**$ -**				**$ -**	**$ 372,000**
	Estimated Total Quarterly Cost	**$ 25,000**	**$ 75,000**	**$ 85,000**	**$ 105,000**	**$ 1,208,495**	**$ 1,239,600**	**$ 1,360,728**	**$ 1,476,200**	**$ 1,424,700**	**$ 1,466,700**	**$ 1,550,270**	**$ 1,493,100**	**$ 1,493,100**	**$ 1,718,100**	**$ 1,839,621**	**$ 1,837,300**	**$ 1,837,300**	**$ 1,837,300**	**$ 1,967,384**	**$ 1,964,900**	
	Estimated Total Annual Cost				**$ 290,000**				**$ 5,285,023**				**$ 5,934,770**				**$ 6,888,121**				**$ 7,606,884**	**$ 25,968,900**

Notes:

Budgeting and Basin Assessments to fund projects subject to Watermaster Board approval following Committee Consultation.

SOW = Scope of Work

RFP = Request for Proposal

Project costs are estimates and subject to change as additional development is conducted.

a For budget forecasting purposes, assumes incentive amount of $1,395 (CMWD Tier 1 cost of $1,895 - $500 pumping cost per AF) for 3,140 AF in lieu water annually. Actual pumping cost to be determined during project development. CMWD Tier 1 cost presumed to increase average of 7% per calendar year.

b Watermaster administration costs are placeholder estimates.

c For budget forecasting purposes, assumes a price of $100/AF and an annual purchase of 4,700 AFY from the City of Simi Valley.

d Long-term costs are not known and will be defined through the initial study and Board policy. For forecasting purposes, assumes $100,000 annual cost for Pilot Study and $1,000,000 annual cost for full program implementation.

Agency Activities (Administration, Consultant / Contractor Procurement, Water Negotiations, Legal, Coordination)

Feasibility study

Construction or initial phase(s) of implementation

Operation and maintenance, or ongoing program implementation / evaluation

TO: Las Posas Valley Watermaster

FROM: Las Posas Valley Watermaster Policy Advisory Committee

RE: Recommendation Report – Las Posas Valley Basin Optimization Projects Assessment

DATE: September 4, 2025

Recommendation:
See memo below for recommendation.

Policy Rationale for Recommendation:
See memo below for rationale.

Summary of Facts in Support of Recommendation:
See memo below for complete summary of facts.

Tally of Committee Member Votes:

	YES	NO	ABSTAIN	ABSENT
Ian Prichard, Calleguas MWD	X			
Paul Chan, VC WWD No. 1 & 19*				
John Menne, Zone MWC	X			
Rob Grether, West LPV Large Ag	X			
David Schwabauer, East LPV Large Ag	X			
Patricia Martinez, East LPV Small Ag				X
Richard Cavaletto, West LPV Small Ag	X			
Laurel Servin, East LPV MWC	X			
Steven Murata, West LPV MWC			X	
Arturo Aseo, Commercial	X			
**As of the date of this vote, Mr. Chan was nominated by Ventura County Waterworks to serve as the agency representative on the PAC but had not been confirmed by the Watermaster Board. As such, he did not cast a vote.*				

Report of Bases for Majority and Minority Committee Member Positions:

PAC Recommendation Report Regarding the Las Posas Valley Basin Optimization Projects Assessment

Watermaster requested feedback on the following three issues:

- Should Watermaster approve a special Basin Assessment for the development/implementation of BOP projects?
    - **PAC Response:** The PAC recommends proceeding with an additional Basin Assessment to fund the implementation of Basin Optimization Projects. With respect to the applicability of such assessments to Water Rights Holders in the western portion of the West Las Posas Management Area who also pay assessments to United Water Conservation District, the PAC makes no recommendation at this time. The PAC understands that under Section 7.9 of the Judgment, Watermaster may determine whether any reduction is appropriate, but only after separate consultation with the PAC. Accordingly, the PAC expects Watermaster to return to the committee for consultation if and when such an adjustment is considered.
- Should the special Basin Assessment be set at $7.25 per acre-foot of annual allocation?
    - **PAC Response:** The PAC recommends that the special Basin Assessment be set at $7.25 per acre-foot of annual allocation, based on the information provided.
- Should the special Basin Assessment be invoiced/collected from Water Right Holders once, twice, or quarterly?
    - **PAC Response:** The PAC recommends including the charge as a separate line item on the Quarterly Basin Assessment bill, with funds collected maintained in a separate account dedicated solely to Basin Optimization Projects, as confirmed by Watermaster staff.

Resolution No. 2025-07

A RESOLUTION OF THE FOX CANYON GROUNDWATER MANAGEMENT AGENCY BOARD OF DIRECTORS ESTABLISHING THE AMOUNT AND AUTHORIZING THE LEVYING AND COLLECTION OF A SEPARATE FISCAL YEAR 2025-26 BASIN ASSESSMENT FOR THE DEVELOPMENT, IMPLEMENTATION, AND ADMINISTRATION OF BASIN OPTIMIZATION PROJECTS IN THE LAS POSAS VALLEY BASIN

WHEREAS, the Fox Canyon Groundwater Management Agency (the Agency) is a groundwater sustainability agency under the Sustainable Groundwater Management Act (the Act) for the basins within the Agency's statutory boundaries; and

WHEREAS, on July 10, 2023, the Santa Barbara Superior Court entered final Judgment in *Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency*, Santa Barbara Sup. Ct. Case No. VENC100509700 (Judgment); and

WHEREAS, the Judgment comprehensively determines and adjudicates all groundwater rights within the Las Posas Valley Groundwater Basin (Basin), establishes and implements a Physical Solution for the Basin, and appoints the Agency to serve as Watermaster to assist the court with implementing and administering the Judgment; and

WHEREAS, Section 7 of the Judgment requires the Watermaster to set, levy, and collect Basin Assessments from the Water Right Holders to fund implementation and administration of the Judgement including any Groundwater Enhancement Projects or Basin Optimization Projects included in the Basin Optimization Plan; and

WHEREAS, on July 23, 2025, the Agency Board of Directors adopted a Fiscal Year (FY) 2025-26 Watermaster Budget that includes the Agency's costs and expenses to implement and administer the Judgment throughout the Basin (and not the costs or expenses of any project) and a $60 per acre-foot (AF) Basin Assessment to be levied and collected from every Water Right Holder accordingly to their annual Water Right Allocation; and

WHEREAS, on June 25, 2025, the Agency Board of Directors approved the Las Posas Valley Basin Optimization Plan, which is the five-year plan required by the Judgment to identify and analyze projects intending to maintain the Basin's Operating Yield at 40,000 AF per year (AFY) and includes a first-year budget, separate from the FY 2025-26 Watermaster Budget, of $290,000, for the development, implementation, and administration of the Basin Optimization Project selected for implementation; and

WHEREAS, neither the FY 2025-26 Watermaster Budget nor the budget included in the Basin Optimization Plan approved any Basin Assessment to fund the development, implementation, and administration of any Basin Optimization Projects; and

WHEREAS, based on the budget included in the Basin Optimization Plan approved on June 25, 2025 and the authority granted to the Agency as Watermaster for

the Basin, the Agency Board of Directors determined and decided at its September 24, 2025 meeting to levy and collect from Water Right Holders an additional FY 2025-26 Basin Assessment in the amount of $7.25/AF of Water Year (WY) 2026 Annual Water Right Allocation to fund the development, implementation, and administration of the Basin Optimization Project selected in the Basin Optimization Plan for initial implementation.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Fox Canyon Groundwater Management Agency Board of Directors as follows:

1. A $7.25/AF Basin Assessment shall be levied on and collected from all Water Right Holders for the development, implementation, and administration of Basin Optimization Projects selected for initial implementation during FY 2025-26, WY 2025.

2. The $7.25/AF Basin Assessment for the development, implementation, and administration of Basin Optimization Projects shall be levied and collected in addition to the $60/AF Basin Assessment approved on July 23, 2025, to fund the FY 2025-26 Watermaster Budget (which includes only the Agency's costs and expenses to implement and administer the Judgment).

3. Staff is directed to collect the $7.25/AF Basin Assessment for the development, implementation, and administration of Basin Optimization Projects in four quarterly installments on the same schedule as Watermaster's collection of the $60/AF Basin Assessment approved on July 23, 2025, to fund the FY 2025-26 Watermaster Budget (which includes only the Agency's costs and expenses to implement and administer the Judgment).

On motion by Tony Trembley and seconded by Lynn Maulhardt the foregoing resolution was passed and adopted on September 24, 2025, by the following vote:

AYES – 5
NOES –
ABSTAINS –
ABSENT –

By: _____
Eugene F. West, Chair, Board of Directors
Fox Canyon Groundwater Management Agency

ATTEST: I hereby certify that the above is a true and correct copy of Resolution No. 2025-07.

By: _____
Elka Weber, Clerk of the Board

Adopt Resolution No. 2025-07 Approving a $7.25 Basin Assessment for Fiscal Year 2025-26, Water Year 2025 to Fund the Implementation and Work on Projects Included in the Las Posas Valley Basin Optimization Plan

Item 21 – September 24, 2025

Farai Kaseke (Ph.D., PH, PMP, CSM)
Assistant Groundwater Manager

Background

- The Judgment requires Watermaster following Committee Consultation prepare an annual Watermaster Budget:
  - Estimated annual costs of administrative management of the basin, investigations, compliance with & enforcement of the Judgment, personnel costs etc.,
  - Estimated annual costs of the construction, operation, maintenance, and administration of Groundwater enhancement or Basin Optimization Projects & reference to the 5-yr budget included in the Basin Optimization Plan
  - Any adjustments to the Basin Assessment (BA) (Judgment, § 7.5)
- Watermaster Budget is funded by Basin Assessments (Judgment, § 7.5).
- Watermaster following Committee Consultation shall assess a uniform BA per acre-foot of Annual Allocation held by the Water Right Holder (Judgment, § 7.2)

Background continued

- First two Watermaster budgets funded Watermaster's administrative and technical work to implement the Judgment & its new requirements & policies

Judgment provides that, "Watermaster may reduce the amount of BA levied on Water Right Holders that pay an assessment to UWCD if Watermaster determines…that such a reduction is appropriate as a matter of equity." (Judgment, § 7.9.)

- As such, some Water Right Holders in the WLPMA within UWCD service area have raised concerns about BA that may be duplicative of fees paid to UWCD (Exhibits 21A and 21B)

Background continued

- Because of the concerns raised by some Water Right Holders in WLPMA & within UWCD service area, staff recommends that your Board separately approve, invoice and collect BA for Watermaster's:
  - Administrative/technical expenses
  - Watermasters project, replenishment, expenses

- This approach would isolate funds for Basin Optimization Projects from administrative/technical expenses and facilitate implementation of specific assessments for or fees for different management areas that your Board may authorize as a matter of equity.

Discussion and Timeline

- Jun. 25, 2025, Basin Optimization Plan (Judgment, §§ 5.3, 5.4.)
  - 5-Yr budget for BOP project improvements, operations & maintenance
  - 1st year of implementation budget $290,000
- Jul. 23, 2025, Watermaster Budget FY 2025-26 / WY 2025 (BA $60.00 /AF of groundwater allocation, Resolution No.2025-05)
  - Administrative & technical work
- Aug. 28, 2025, PAC consultation (Exhibit 21C)
  - Sep. 04, 2025, PAC recommendation report endorsing BA (Exhibit 21D)
  - Approve special BA, $7.25 / AF groundwater allocation, invoice quarterly
- Sept. 24, 2025 BOP project Basin Assessment

Summary

- Initial BOP approved & adopted (June 2025)
- WY 2025 Watermaster Budget & Resolution No. 2025-05 adopted (July 2025)
  - BA excludes BOP projects
- PAC has recommended the special BA for BOP projects
  - BA sequestered into a separate account & used exclusively for BOP projects
  - BOP projects BA = ($290,000/40,000 AF) => **$7.25/AF,** Quarterly = ~ **$1.82/AF**
- Separate line item on BA invoice
  - Administrative/technical ($60.00) + BOP projects ($7.25) = $67.25/AF
  - WY 2025 BA invoice total per quarter = ~ **$16.82/AF** groundwater allocation

Recommendations

1. Receive and file this presentation; and
2. Adopt proposed *Resolution 2025-07* authorizing a FY 2025-26 (WY 2025) Basin Assessment in the amount of $7.25/AF of annual Water Right Allocation to fund BOP projects and to be invoiced and collected with the Basin Assessment to fund Watermaster's general administrative and technical expenses on a quarterly basis.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, **Chair**, *Director, Camrosa Water District*
Kelly Long, **Vice Chair**, *Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Councilmember, City of Camarillo*

EXECUTIVE OFFICER
John Demers

September 24, 2025

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Watermaster Update on Carryover and Overuse [LPV Watermaster] – *(New Item)*

RECOMMENDATION: Receive and file a presentation on Carryover and Overuse in the Las Posas Valley (LPV).

BACKGROUND:
The Las Posas Valley Adjudication Judgment (Judgment) defines "Overuse" as "a Use in Excess of that allowed under the Judgment." (Judgment, §4.15.1) Generally, Overuse occurs when a Water Right Holder Uses groundwater in excess of their Annual Allocation. Annual Allocations are determined for each Water Year by Watermaster following Committee Consultation pursuant to the protocols and formulas set forth in the Judgment. (See Judgment, § 4.2.) In addition, Overuse may occur where a Mutual Water Company reports an aggregate amount of Use on behalf of its Mutual Exclusive Shareholders that exceeds the Aggregate Mutual Supply, and where a Mutual Water Company Shareholder without an Annual Allocation Uses Groundwater. (See Judgment, § 4.15.1.1, 4.15.1.2.) Prior to a Party being assessed an Overuse Assessment, the Judgment provides Water Right Holders operational flexibility to cure the Overuse "in the Water Year [immediately] following the Water Year in which the Overuse occur[s]." (Judgment, § 4.15.2.) However, if a Water Right Holder fails to cure the Overuse as provided in the Judgment, then the Water Right Holder, Party, or Person shall be subject to an Overuse Assessment and/or injunctive relief, as the case may be. (Ibid.) "Failure to pay [an] Overuse Assessment will incur interest on the amount owed and further enforcement []," as well as additional enforcement including injunctive relief and liening the associated real property for unpaid Overuse Assessments. (Judgment, § 4.15.3.)

DISCUSSION:
Water Use during Water Year (WY) 2023 (Oct. 1, 2023 – Sept. 30, 2024) was the first Water Year that Water Right Holders reported their Groundwater Use to Watermaster and thus was the first Water Year for which Overuse was determined. Accordingly, WY 2024 is the second year of groundwater extraction and use reporting and thus the cure period

for overuse accrued in WY 2023. However, WY 2023 Annual Allocations Accounting is incomplete, showing that 23.57% of parties required to report groundwater extraction and use to Watermaster failed to do so for one or more reporting periods, making it impossible to calculate either carryover or overuse for the affected WMIDs (Table 1). The effect of the missing data will roll over into the Annual Allocations Accounting for WY 2024 and the subsequent Basin Assessment to be collected.

Categories	**WY2023 Reporting**
Carryover	79 (56.43%)
Cure	24 (17.14%)
Cannot accrue	4 (2.863%)
Cannot calculate (missing information)	33 (23.57%)
Total WMIDs	140 (100%)

The Judgment provides several ways to cure Overuse, each of which generally involves the Water Right Holder Using less Groundwater than their Annual Allocation during the cure period or obtaining additional Annual Allocation through the Judgment's transfer processes. (Judgment, § 4.15.2.)

The Judgment imposes the following conditions on transfers:

- Seller / lessor shall complete a Transfer Request Form (Judgment, § 4.12.1)
    - If the transferee does not have a WMID, the transferee shall apply for a new WMID on a form made available by Watermaster
- Restrictions on transfers outside the basin (Judgment, § 4.12.2)
- Good standing as determined by Watermaster (Judgment, § 4.12.3)
- The Judgment prohibits Domestic Allocations from accruing carryover or transferring allocation basis (Judgment, §§ 4.5, 4.11). Therefore, Water Right Holders of Domestic Allocations can only participate as buyers in transfers.

Watermaster does not have a water market in place, thus transfers between parties are private transactions subject to the Watermaster's approval after a finding of no material injury or undesirable results and otherwise meeting the conditions of the Judgment. Watermaster does maintain and publish a service list[1] with current contact information for most if not all Water Right Holders required to report Groundwater extraction and use

[1] https://fcgma.org/wm_service_list/

directly to Watermaster. Water Right Holders seeking additional allocation to cure overuse can use this list as a starting point to identify a Water Rights Holder willing to transfer part or all of their allocation. To allow staff to process transfers and perform the Annual Allocations Accounting, staff will publish updated transfer forms on the website and start accepting transfer requests October 1, 2025. Please note, transfer applications should be submitted electronically by October 31, 2025. Failure to cure any Overuse in the Water Year after it accrues will result in Overuse Assessments, per Resolution 2025-03[2].

CONCLUSION:
Agency staff recommends your Board receive and file this presentation.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3942.

Sincerely,

Kudzai Farai Kaseke (Ph.D., PH, PMP, CSM)
Assistant Groundwater Manager

[2] https://s42135.pcdn.co/wp-content/uploads/2025/06/Resolution-2025-03.pdf

Las Posas Valley Watermaster

Update on Carryover and Overuse

Item 22
September 24, 2025

John Demers
Executive Officer

Background

- The Las Posas Valley Adjudication Judgment (Judgment) defines “Overuse” as “a Use in Excess of that allowed under the Judgment.” (Judgment, §4.15.1)
- Annual Allocations are determined for each Water Year by Watermaster following Committee Consultation pursuant to the protocols and formulas set forth in the Judgment. (Judgment, § 4.2)
- Overuse occurs when a Water Rights Holder uses groundwater in excess of their Annual Allocation.
  - Mutual water companies and their exclusive shareholders have special provisions.
- Water Rights Holders who use less than their Annual Allocation may “Carryover” the balance to the following year.
- The Judgment requires that prior to the charge of an Overuse Assessment, a Water Rights Holder may “cure” the overuse in the next Water Year. (Judgment, § 4.15.2.)
- Those that cannot cure the overuse are subject to an Overuse Assessment at the rate approved by Resolution No. 2025-03.

Discussion

- Water Year (WY) 2023 (Oct 2023 – Sep 2024) was the first year for reporting groundwater use under the Judgment, and thus the first year where an Overuse or Carryover could be determined.
- Accordingly, WY 2024 (Oct 2024 – Sep 2025) is the first year where Overuse may be cured.
- At the end of WY 2023, approx. 56% of Water Rights Holders were in a Carryover situation, and approx. 17% were in Overuse.
- Notably, nearly one-quarter (23.57%) of the parties failed to adequately report use, making it impossible to determine their situation.

Curing an Overuse

- The Judgment allows for several ways to cure Overuse, generally involving either using less than the Annual Allocation in the cure period or obtaining additional Annual Allocation through the Judgment's transfer processes. (Judgment, § 4.15.2)
  - Again, Mutuals have special provisions.
- If a Water Rights Holder uses Groundwater in the cure period at a lower rate, such that their average across both years is under their combined Annual Allocation for the two-year period, the Overuse is cured, and no Overuse Assessment will be applied.
- If the rate of use was not reduced, and the Overuse condition remains, the Water Rights Holder may attempt to cure their Overuse by obtaining an allocation transfer from another Water Rights Holder with excess allocation.

Allocation Transfers

- Watermaster does not have an active water market.
- Watermaster does maintain and publish on its website a service list with current contact information for Water Rights Holders.
- A Water Rights Holder in need of an allocation transfer should use the service list, in addition to personal connections and informal networks, to identify other Water Rights Holders willing to transfer part or all their allocation.

Transfer Procedures

- Both parties must complete a Transfer Request Form, which will be available on the Watermaster website.
- Both parties must be in good standing, as determined by Watermaster.
- Domestic users may not transfer their allocation basis.
- All transfers must be to and from users within the LPV basin.
- Transfer requests must be approved by Watermaster, subject to a finding of no material injury or undesirable results and otherwise meeting the conditions of the Judgment.
  - This may impact transfer requests between management areas.
- Transfer requests for the WY 2024 cure period must be submitted by Oct. 31, 2025.

Recommendations

- Information only.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

DIRECTORS

Eugene F. West (Chair) – Small Water Districts (805) 657-2121 *(Term Exp 2-28-27)*
Executive Committee, Fiscal Committee

Kelly Long (Vice Chair) – Ventura County Board of Supervisors (805) 654-2276 *(Term Exp 2-28-27)*
Executive Committee

Michael Craviotto – Farming Interests (805) 766-9602 *(Term Exp 2-28-26)*
Operations Committee, Flynn Award Selection Subcommittee

Lynn Maulhardt – United Water Conservation District (805) 982-0780 *(Term Exp 2-28-27)*
Operations Committee

Tony Trembley – Five Cities (805) 388-5307 *(Term Exp 2-28-26)*
Fiscal Committee, Flynn Award Selection Subcommittee

ALTERNATE DIRECTORS

Reddy Pakala – Small Water Districts (805) 990-6809 *(Term Exp 2-28-27)*

Vianey Lopez – Ventura County Board of Supervisors (805) 654-2613 *(Term Exp 2-28-27)*

David Borchard – Farming Interests (805) 485-3525 *(Term Exp 2-28-26)*

Keith Ford – UWCD (805) 207-9062 *(Term Exp 2-28-27)*

Bert Perello – Five Cities (805) 240-6194 *(Term Exp 2-28-26)*

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Raya Nour – Engineer II (805) 654-2454

Kathy Jones – Staff Services Specialist (805) 645-1372

Cynthia Rodriguez – Administrative Assistant (805) 662-6831

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Fatima Perez – Management Assistant (805) 650-4073

Kylen Wooley – Water Resources Compliance Specialist (805) 658-4374

Briana Barajas – Water Resources Specialist (805) 654-2021

Elka Weber – Clerk of the Board (805) 654-2014