RICHARD G. ZIMMER, ESQ., SBN 107263
WILLIAM T. ZIMMER, ESQ., SBN 318951
ZIMMER & MELTON, LLP
11601 Bolthouse Drive, Suite 100
Bakersfield, CA 93311-8714
Tel: (661) 463-6700 Fax: (661) 501-4221
rzimmer@zimmermelton.com
wzimmer@zimmermelton.com
Attorneys for Bolthouse Land Company, LLC
And Wm. Bolthouse Farms, Inc.

ROBERT G. KUHS, ESQ., SBN 160291
ANDREW K. SHEFFIELD, ESQ., SBN 220735
LEBEAU-THELEN, LLP
5001 East Commercenter Drive, Suite 300
Post Office Box 12092
Bakersfield, CA 93389-2092
Tel: (661) 325-8962 Fax: (661) 325-1127
rkuhs@lebeauthelen.com
asheffield@lebeauthelen.com
Attorneys for Grimmway Enterprises, Inc., Diamond Farming Company, Lapis Land Company, LLC, and Ruby Land Company, LLC

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

SPRING STREET COURTHOUSE

BOLTHOUSE LAND COMPANY, LLC, a California limited liability company; WM. BOLTHOUSE FARMS, INC., a Michigan corporation; and GRIMMWAY ENTERPRISES, INC., a Delaware corporation, DIAMOND FARMING COMPANY, a California corporation; LAPIS LAND COMPANY, LLC, a California limited liability company; RUBY LAND COMPANY, LLC, a Delaware limited liability company; Plaintiffs, vs. ALL PERSONS CLAIMING A RIGHT TO EXTRACT OR STORE GROUNDWATER IN THE CUYAMA VALLEY GROUNDWATER BASIN (NO. 3-013); ALL PERSONS	Case No.: BCV-21-101927 Complex Action (Complaint Filed: 8/17/2021) **NOTICE OF COMMENCEMENT OF GROUNDWATER BASIN ADJUDICATION OF THE CUYAMA VALLEY GROUNDWATER BASIN (NO. 3-013)** Assigned for All Purposes to: The Honorable Yvette M. Palazuelos

UNKNOWN, CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE, OR ANY CLOUD UPON PLAINTIFF'S TITLE THERETO; DOES 1 THROUGH 5000 and THE PERSONS NAMED AS DEFENDANTS IDENTIFIED ON EXHIBIT D TO THIS COMPLAINT as may be amended from time to time

Defendants.

NOTICE OF COMMENCEMENT OF GROUNDWATER BASIN ADJUDICATION

THIS NOTICE IS IMPORTANT. ANY RIGHTS YOU CLAIM TO PUMP OR STORE GROUNDWATER FROM THE BASIN IDENTIFIED IN THIS NOTICE MAY BE AFFECTED BY A LAWSUIT INITIATED BY THE FIRST AMENDED COMPLAINT SUMMARIZED BELOW.

A copy of the First Amended Complaint may be obtained by contacting the Plaintiff or the Plaintiff's attorney identified in this notice. If you claim rights to pump or store groundwater within the basin, either now or in the future, you may become a party to this lawsuit by filing an answer to the lawsuit on or before the deadline specified in this Notice. You may file an Answer by completing the attached form Answer, filing it with the court indicated in this notice, and sending a copy of the form Answer to Plaintiffs or the Plaintiffs' attorney.

Failing to participate in this lawsuit could have a significant adverse effect on any right to pump or store groundwater that you may have. You may seek the advice of an attorney in relation to this lawsuit. Such attorney should be consulted promptly. A Case Management Conference in this groundwater basin adjudication proceeding shall occur on the date specified in this notice. If you intend to participate in the groundwater adjudication proceeding to which this Notice applies, you are advised to attend the

initial Case Management Conference in person or have an attorney represent you at the initial Case Management Conference.

Participation requires the production of all information regarding your groundwater use. Within three months of appearing in this action you must serve on all other parties, and the special master, if one is appointed, an initial disclosure that includes all of the information listed in Code of Civil Procedure section 842.

A form Answer is provided for your convenience. You may fill out the form Answer and file it with the court. Should you choose to file the form answer, it will serve as an Answer to all Complaints and Cross-Complaints filed in this case.

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

1. Name of Basin: Cuyama Valley Groundwater Basin, Department of Water Resources Bulletin 118 Groundwater Basin No. 3-013. A map of the Cuyama Valley Groundwater Basin is available at: https://sgma.water.ca.gov/portal/gsp/preview/32.

2. Case No. BCV-21-101927, Superior Court of California, County of Los Angeles, Spring Street, Courthouse, Civil Complex Center located at 312 N. Spring Street, Los Angeles, CA 90012 Assigned to the Honorable Yvette M. Palazuelos, Department 9.

3. The First Amended Complaint may be obtained from and a copy of the form Answer should be sent to Plaintiffs' attorneys, who may be contacted at the following mailing addresses, telephone numbers, and email addresses:

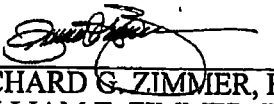
Richard G. Zimmer William T. Zimmer Zimmer & Melton, LLP 11601 Bolthouse Drive, Suite 100 Bakersfield, CA 93311 Tel: (661) 463-6700 rzimmer@zimmermelton.com wzimmer@zimmermelton.com	Robert G. Kuhs Andrew K. Sheffield LeBeau – Thelen, LLP 5001 E. Commercenter Drive, Suite 300 Post Office Box 12092 Bakersfield, CA 93389-2092 Tel: (661) 325-8962 rkuhs@lebeauthelen.com asheffield@lebeauthelen.com

4. The First Amended Complaint seeks a comprehensive adjudication of the Cuyama Valley Groundwater Basin (Basin) and alleges two causes of action. The First Cause of Action for Comprehensive Adjudication and Physical Solution pursuant to Code of Civil Procedure sections 830 to 852 seeks a comprehensive judgment that determines and fixes the respective rights and priorities of the parties, and their respective successor in interest, to the extraction and use of Basin groundwater and the right to Basin storage space, among all users, a preliminary injunction to provide for management of the Basin, on an interlocutory basis, through entry of final judgment and any appeal, pursuant to Code of Civil Procedure section 847, and to provide a physical solution for the perpetual and continuous management of the Basin pursuant to Code of Civil Procedure sections 834, 849 and 850. The Second Cause of Action for Quiet Title seeks to quiet title to interests in the Basin groundwater and storage space appurtenant to Plaintiffs' real property as of the date the First Amended Complaint is filed as against any adverse claims pursuant to Code of Civil Procedure sections 760.010 to 764.080. Plaintiffs additionally seek costs of suit and such other and further relief as the court deems just and proper.

5. You must appear in this comprehensive adjudication within thirty days after receiving this Notice. The Case Management Conference is set for March 8, 2022 at 10:00 a.m. in Department 9 of the Los Angeles County Superior Court, Spring Street Courthouse.

Dated: March 8, 2022

ZIMMER & MELTON, LLP

By: 

RICHARD G. ZIMMER, ESQ.
WILLIAM T. ZIMMER, ESQ.
Attorneys for Defendants, BOLTHOUSE LAND COMPANY, LLC and WM. BOLTHOUSE FARMS, INC.

///

Dated: March 8, 2022

LEBEAU-THELEN, LLP

By: _____
ROBERT G. KUHS
Attorneys for Plaintiffs Grimmway Enterprises, Inc., Diamond Farming Company, Lapis Land Company, LLC, and Ruby Land Company, LLC