

1 RICHARD G. ZIMMER, ESQ., SBN 107263  
2 WILLIAM T. ZIMMER, ESQ., SBN 318951  
3 ZIMMER & MELTON, LLP  
4 11601 Bolthouse Drive, Suite 100  
5 Bakersfield, CA 93311-8714  
6 Tel: (661) 463-6700 Fax: (661) 501-4221  
7 [rzimmer@zimmermelton.com](mailto:rzimmer@zimmermelton.com)  
8 [wzimmer@zimmermelton.com](mailto:wzimmer@zimmermelton.com)  
9 Attorneys for Bolthouse Land Company, LLC  
10 And Wm. Bolthouse Farms, Inc.

11 ROBERT G. KUHS, ESQ., SBN 160291  
12 ANDREW K. SHEFFIELD, ESQ., SBN 220735  
13 LEBEAU-THELEN, LLP  
14 5001 East Commercenter Drive, Suite 300  
15 Post Office Box 12092  
16 Bakersfield, CA 93389-2092  
17 Tel: (661) 325-8962 Fax: (661) 325-1127  
18 [rkuhs@lebeauthelen.com](mailto:rkuhs@lebeauthelen.com)  
19 [asheffield@lebeauthelen.com](mailto:asheffield@lebeauthelen.com)  
20 Attorneys for Grimmway Enterprises, Inc., Diamond  
21 Farming Company, Lapis Land Company, LLC, and  
22 Ruby Land Company, LLC

23 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**  
24 **SPRING STREET COURTHOUSE**

25 BOLTHOUSE LAND COMPANY, LLC, a  
26 California limited liability company; WM.  
27 BOLTHOUSE FARMS, INC., a Michigan  
28 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

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

11 Defendants.

12 **NOTICE OF COMMENCEMENT OF**  
13 **GROUNDWATER BASIN ADJUDICATION**

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

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

25 Failing to participate in this lawsuit could have a significant adverse effect on any  
26 right to pump or store groundwater that you may have. You may seek the advice of an  
27 attorney in relation to this lawsuit. Such attorney should be consulted promptly. A  
28 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

{00531236;1}

- 2 -

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

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

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

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

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

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

19 3. The First Amended Complaint may be obtained from and a copy of the  
20 form Answer should be sent to Plaintiffs' attorneys, who may be contacted at the  
21 following mailing addresses, telephone numbers, and email addresses:  
22

23 Richard G. Zimmer  
24 William T. Zimmer  
25 Zimmer & Melton, LLP  
26 11601 Bolthouse Drive, Suite 100  
27 Bakersfield, CA 93311  
28 Tel: (661) 463-6700  
[rzimmer@zimmermelton.com](mailto:rzimmer@zimmermelton.com)  
[wzimmer@zimmermelton.com](mailto: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](mailto:rkuhs@lebeauthelen.com)  
[asheffield@lebeauthelen.com](mailto:asheffield@lebeauthelen.com)


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

17           5.     You must appear in this comprehensive adjudication within thirty days  
18 after receiving this Notice. The Case Management Conference is set for March 8, 2022  
19 at 10:00 a.m. in Department 9 of the Los Angeles County Superior Court, Spring Street  
20 Courthouse.  
21

22 Dated: March 8, 2022

ZIMMER & MELTON, LLP

23  
24 By:


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

25  
26  
27 ///

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

Dated: 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