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BORRÉGO WATER DISTRICT

Exempt from Filing Fees Pursuant to
Government Code section 6103

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF ORANGE

12 BORREGO WATER DISTRICT,
13
14 Plaintiff,

Case No. 37-2020-00005776
Judge: Peter J. Wilson
Dept: CX102

15 v.

16 ALL PERSONS WHO CLAIM A RIGHT TO
EXTRACT GROUNDWATER IN THE
BORREGO VALLEY GROUNDWATER
17 SUBBASIN NO. 7.024-01 WHETHER
BASED ON APPROPRIATION,
18 OVERLYING RIGHT, OR OTHER BASIS
OF RIGHT, AND/OR WHO CLAIM A
19 RIGHT TO USE OF STORAGE SPACE IN
THE SUBBASIN; AGRI-EMPIRE, et al,
20
21 Defendants.

NOTICE OF JULY 16, 2020 MINUTE
ORDER
Complaint filed : January 30, 2020
Trial Date:

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW
655 WEST BROADWAY, 15TH FLOOR
SAN DIEGO, CALIFORNIA 92101

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TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN that the Court in the above-captioned matter issued a Minute Order on July 16, 2020 regarding case disposition time goals, complex fees, and a status conference and ordered Plaintiff Borrego Water District to give notice. A true and correct copy of the Minute Order is attached hereto as Exhibit A.

Dated: July 21, 2020

BEST BEST & KRIEGER LLP

By: 

JAMES B. GILPIN
STEVE M. ANDERSON
SARAH CHRISTOPHER FOLEY
Attorneys for Plaintiff
BORREGO WATER DISTRICT

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW
665 WEST BROADWAY, 15TH FLOOR
SAN DIEGO, CALIFORNIA 92101

EXHIBIT A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Civil Complex Center
751 W. Santa Ana Blvd
Santa Ana, CA 92701

SHORT TITLE: Borrego Water District vs. All Persons Who Claim a Right to Extract Groundwater in the Borrego Valley Groundwater Subbasin No. 7.024-01

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

CASE NUMBER:
37-2020-00005776

I certify that I am not a party to this cause. I certify that the following document(s), dated , have been transmitted electronically by Orange County Superior Court at Santa Ana, CA. The transmission originated from Orange County Superior Court email address on July 16, 2020, at 11:48:13 AM PDT. The electronically transmitted document(s) is in accordance with rule 2.251 of the California Rules of Court, addressed as shown above. The list of electronically served recipients are listed below:

BEST BEST & KRIEGER LLP
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Clerk of the Court, by: V. Harting , Deputy

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
MINUTE ORDER**

Department CX102

COURT CONVENED AT: -----	ON:	July 16, 2020
JUDGE ASSIGNED: PETER J. WILSON	CLERK:	V. Harting
COURT ATTENDANT: NONE	REPORTER:	NONE

AND THE FOLLOWING PROCEEDINGS WERE HAD:

37-2020-00005776 - Borrego Water District vs. All Persons Who Claim a Right to Extract Groundwater in the Borrego Valley Groundwater Subbasin No. 7.024-01

No appearances.

The Court finds that this case is exempt from the case disposition time goals imposed by California Rule of Court, rule 3.714 due to exceptional circumstances and estimates that the maximum time required to dispose of this case will exceed twenty-four months due to the following case evaluation factors of California Rules of Court, rules 3.715 and 3.400: Case is Complex.

Each party who has not paid the Complex fee of \$1,000.00 as required by Government Code § 70616 shall pay the fee to the Clerk of the Court within ten (10) court days from date of this minute order. Failure to pay required fees may result in the dismissal of complaint/cross-complaint or the striking of responsive pleadings and entry of default.

The Status Conference is scheduled for August 20, 2020 at 9:00 AM in Department CX102.

Plaintiff shall, at least five (5) court days before the hearing, file with the Court and serve on all parties of record or known to Plaintiff a brief, objective summary of the case, its procedural status, the contentions of the parties and any special considerations of which the Court should be aware. Other parties who think it necessary may also submit similar summaries three (3) court days prior to the hearing. DO NOT use the CMC (Case management Statement) form used for non-complex cases (Judicial Council Form CM-110).

All proposed orders (including those submitted pursuant to stipulation) must be submitted in 2 electronic formats. One copy is to be filed in Word (without attachments), and another copy in.pdf format with all attachments/exhibits attached to it. Failure to follow this rule may result in the proposed order not being brought to the attention of the Court in a timely fashion. Ensure that the proposed order is identified as a "Proposed Order."

Additional departmental information may be obtained by visiting the Court's website at:
COMPLEX CIVIL DEPARTMENT GUIDELINES -

<http://www.occourts.org/directory/civil/complex-civil/department-guidelines.pdf>

COMPLEX CIVIL COURTROOM SCHEDULE & REQUIREMENTS-ADDITIONAL GUIDELINES FOR CX102 –

<http://www.occourts.org/directory/civil/complex-civil/calendar-schedule/civil-panel-schedule.html>

CIVIL TENTATIVE RULINGS - <http://www.occourts.org/directory/civil/tentative-rulings/>

This case is subject to mandatory electronic filing pursuant to Superior Court Rules, County of Orange, Rule 352. Plaintiff shall give notice of the Status Conference and the electronic filing requirement to all parties of record or known to plaintiff, and shall attach a copy of this minute order.

Clerk to give notice to plaintiff and plaintiff to give notice to all other parties.

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Borrego Water District v. All Persons Who Claim A Right To Extract Groundwater, et al,
Orange County Superior Court, Central, Case No. 37-2020-00005776

PROOF OF SERVICE

I, Eugenia Duran, declare:

I am over the age of eighteen years and not a party to the within-entitled action. My business address is 300 S. Grand Avenue, 25th Floor, Los Angeles, California 92101. On July 21, 2020, I served a copy of the within document(s):

NOTICE OF JULY 16, 2020 MINUTE ORDER

- By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed below (specify one):
 - Deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - Placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at San Diego, California.

- By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- By e-mail or electronic transmission.** Based on an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

<u>PARTY</u>	<u>EMAIL ADDRESS FOR E- SERVICE</u>
DAVID AND JULI BAUER, CO-TRUSTEES OF THE D&J BAUER FAMILY TRUST 11-18-04	Borregofarms@gmail.com
WILLIAM M. BAUER	bbstraightarrow@gmail.com
BORREGO NAZARETH LLC	maboneaaj@saindustries.com (Maiser Aboneaaj, Manager)

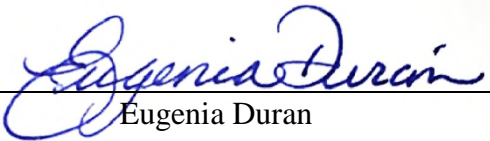
1	BORREGO UNIFIED SCHOOL DISTRICT	mstevens@bsusd.net (Mark Stevens, Superintendent)
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3	RONALD J. JENSEN, TRUSTEE OF THE JENSEN FAMILY TRUST 8-05-83	rjensen714@cox.net
4	JAMES SOMMERVILLE, TRUSTEE OF THE SOMMERVILLE TRUST 11-22-83	james13som@gmail.com
5		
6	ROY BRISBOIS, TRUSTEE OF THE CONZELMAN FAMILY TRUST A 11-22- 83	roybrisbois@gmail.com
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8	STEVEN MOHLER, TRUSTEE OF THE CONZELMAN FAMILY TRUST C 11-22- 83	stevenmohler@sbcglobal.net
9		
10	CWC CASA DEL ZORRO, LLC	jmcgrory@ljmjm.com (Jack McGrory, Manager)
11	JOHN DOLJANIN	john@wctrees.com
12	JM ROADRUNNER, LLC	jmcgrory@ljmjm.com (Jack McGrory, Manager)
13		
14	LANCE LUNDBERG, TRUSTEE OF THE LUNDBERG FAMILY TRUST 10-01-98	lancelundberg@yahoo.com
15	MONICA REAL ESTATE HOLDINGS, L.P. (other def)	Rudymonica04@yahoo.com
16		
17	THE ROADRUNNER CLUB AT BORREGO, LP	eli@BoaVidaCommunities.com (Elias Weiner, Sole Member) Rich@BoaVidaCommunities.com (Rich Pinel) Aric@theBoaVidaGroup.com (Aric Resnicke)
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20	SELEY RANCHES, L.P.	jim@seleyco.com (James Seley) mike@seleyco.com mstaples@jacksontidus.law
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22	SHENANDOAH GROWERS, INC.	timothy@freshherbs.com (Tim Heydon, CEO)
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24	THE SPRINGS RV AND GOLF RESORT, LP	eli@BoaVidaCommunities.com (Elias Weiner, Sole Member) Rich@BoaVidaCommunities.com (Rich Pinel) Aric@theBoaVidaGroup.com (Aric Resnicke)
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27	T2 BORREGO LLC	Shannon@ramshill.com (Shannon Smith, Vice President)
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T2 FARMS LLC	Shannon@ramshill.com (Shannon Smith, Vice President)
T2 HOLDINGS LLC	Shannon@ramshill.com (Shannon Smith, Vice President)
TROJAN CITRUS, LLC	nbozick@rbipacking.com (Nicholas Bozick, Managing Member)
GAMINI D. WEERASEKERA	msorganics@yahoo.com

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

Executed on July 21, 2020, at Los Angeles, California.



Eugenia Duran