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**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego  
**06/22/2020** at 03:52:00 PM  
Clerk of the Superior Court  
By Megan Dietenhofer, Deputy Clerk

7 Attorneys for Plaintiff  
BORRÉGO WATER DISTRICT

Exempt from Filing Fees Pursuant to  
Government Code section 6103

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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SAN DIEGO

12 BORREGO WATER DISTRICT,  
13  
14 Plaintiff,

Case No. 37-2020-00005776-CU-TT-CTL  
Judge: Peter Wilson  
Dept: CX102

15 v.

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

NOTICE AND PROOF OF SERVICE OF  
JUNE 9, 2020 MINUTE ORDER

Complaint filed : January 30, 2020  
Trial Date:

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Defendants.


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TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN that Presiding Judge Kirk H. Nakamura of the San Diego Superior Court issued a Minute Order on June 9, 2020 regarding the reassignment of this case. A true and correct copy of the Minute Order is attached hereto as **Exhibit A**.

Dated: June 19, 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  
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SAN DIEGO, CALIFORNIA 92101

# **EXHIBIT A**

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

Department: C1

<b>COURT CONVENED AT:</b> -----	<b>ON:</b>	June 9, 2020
<b>PRESIDING JUDGE:</b>	Kirk H. Nakamura, Assigned	<b>CLERK:</b> L. Labrador
<b>BAILIFF:</b>	None	<b>REPORTER:</b> 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**

No appearances. The above entitled case having been transferred to the Orange County Superior Court, pursuant to the disqualification (*C.C.P.* § 838) of all Judges of the San Diego County Superior Court, the case is now reassigned for all purposes to Hon. Melissa R. McCormick, Department C13 (located at 700 Civic Center Drive West, Santa Ana, California 92701), assigned as a judge of the San Diego County Superior Court by the Chairperson of the Judicial Council pursuant to Government Code section 69740, subdivision (b) and under assignment number 1065270-20. All future matters, except as described below, are to be handled in Department C13.

Any matters which were stayed pending the assignment to a judge for all purposes are hereby ordered relieved from the stay.

Clerk to give notice. Plaintiff to give notice to any parties not listed and file proof of service with the court within 10 days of receiving this notice. ENTERED: 06/09/20

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

Department: C1


<b>COURT CONVENED AT:</b> ----	<b>ON:</b>	June 9, 2020
<b>PRESIDING JUDGE:</b>	Kirk H. Nakamura, Assigned	<b>CLERK:</b> L. Labrador
<b>BAILIFF:</b>	None	<b>REPORTER:</b> 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**

I, DAVID H. YAMASAKI, Executive Officer and Clerk of the Superior Court, in and for the County of Orange, State of California, hereby certify that I am not a party to the within action or proceeding and that on 06/09/20 I served a copy of this minute order on the parties named below by depositing a true copy, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal mail box at Santa Ana, California addressed as indicated.

Dated: June 9, 2020

By , Deputy Clerk  
L. Labrador

Type addresses for parties/attorneys

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1 *Borrego Water District v. All Persons Who Claim A Right To Extract Groundwater, et al,*  
2 San Diego County Superior Court, Central, Case No. 37-2020-00005776-CU-TT-CTL

3 **PROOF OF SERVICE**

4 I, Sarah Christopher Foley, declare:

5 I am over the age of eighteen years and not a party to the within-entitled action. My  
6 business address is 655 West Broadway, 15th Floor, San Diego, California 92101. On June 19,  
7 2020, I served a copy of the within document(s):

8 **NOTICE AND PROOF OF SERVICE OF JUNE 9, 2020 MINUTE ORDER**

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

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

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

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

1	BORREGO UNIFIED SCHOOL DISTRICT	<a href="mailto:mstevens@bsusd.net">mstevens@bsusd.net</a> (Mark Stevens, Superintendent)
2	RONALD J. JENSEN, TRUSTEE OF THE JENSEN FAMILY TRUST 8-05-83	<a href="mailto:rjensen714@cox.net">rjensen714@cox.net</a>
3	JAMES SOMMERVILLE, TRUSTEE OF THE SOMMERVILLE TRUST 11-22-83	<a href="mailto:james13som@gmail.com">james13som@gmail.com</a>
4	ROY BRISBOIS, TRUSTEE OF THE CONZELMAN FAMILY TRUST A 11-22-83	<a href="mailto:roybrisbois@gmail.com">roybrisbois@gmail.com</a>
5	STEVEN MOHLER, TRUSTEE OF THE CONZELMAN FAMILY TRUST C 11-22-83	<a href="mailto:stevenmohler@sbcglobal.net">stevenmohler@sbcglobal.net</a>
6	CWC CASA DEL ZORRO, LLC	<a href="mailto:jmcgrory@ljmjm.com">jmcgrory@ljmjm.com</a> (Jack McGrory, Manager)
7	JOHN DOLJANIN	<a href="mailto:john@wctrees.com">john@wctrees.com</a>
8	JM ROADRUNNER, LLC	<a href="mailto:jmcgrory@ljmjm.com">jmcgrory@ljmjm.com</a> (Jack McGrory, Manager)
9	LANCE LUNDBERG, TRUSTEE OF THE LUNDBERG FAMILY TRUST 10-01-98	<a href="mailto:lancelundberg@yahoo.com">lancelundberg@yahoo.com</a>
10	MONICA REAL ESTATE HOLDINGS, L.P. (other def)	<a href="mailto:Rudymonica04@yahoo.com">Rudymonica04@yahoo.com</a>
11	THE ROADRUNNER CLUB AT BORREGO, LP	<a href="mailto:eli@BoaVidaCommunities.com">eli@BoaVidaCommunities.com</a> (Elias Weiner, Sole Member) <a href="mailto:Rich@BoaVidaCommunities.com">Rich@BoaVidaCommunities.com</a> (Rich Pinel) <a href="mailto:Aric@theBoaVidaGroup.com">Aric@theBoaVidaGroup.com</a> (Aric Resnicke)
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17	SHENANDOAH GROWERS, INC.	<a href="mailto:timothy@freshherbs.com">timothy@freshherbs.com</a> (Tim Heydon, CEO)
18	THE SPRINGS RV AND GOLF RESORT, LP	<a href="mailto:eli@BoaVidaCommunities.com">eli@BoaVidaCommunities.com</a> (Elias Weiner, Sole Member) <a href="mailto:Rich@BoaVidaCommunities.com">Rich@BoaVidaCommunities.com</a> (Rich Pinel) <a href="mailto:Aric@theBoaVidaGroup.com">Aric@theBoaVidaGroup.com</a> (Aric Resnicke)
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21	T2 BORREGO LLC	<a href="mailto:Shannon@ramshill.com">Shannon@ramshill.com</a> (Shannon Smith, Vice President)
22	T2 FARMS LLC	<a href="mailto:Shannon@ramshill.com">Shannon@ramshill.com</a> (Shannon Smith, Vice President)
23		
24	T2 HOLDINGS LLC	<a href="mailto:Shannon@ramshill.com">Shannon@ramshill.com</a> (Shannon Smith, Vice President)
25		
26	TROJAN CITRUS, LLC	<a href="mailto:nbozick@rbipacking.com">nbozick@rbipacking.com</a> (Nicholas Bozick, Managing Member)
27	GAMINI D. WEERASEKERA	<a href="mailto:msorganics@yahoo.com">msorganics@yahoo.com</a>
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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 19, 2020, at San Diego, California.



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Sarah Christopher Foley

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