



MOWD Answers Some of Your Water Adjudication Questions

We understand many of you still have questions regarding the Adjudication brought about by the City of Ventura. Although we are legally unable to give you advice about what you should do, we want to clarify the facts as much as possible to help you make the right decision for your situation. Since this is an active legal case there are details which must remain confidential. The roll-out of information is directly guided by the confidentiality of the lawsuit and the procedures.

Meiners Oaks Water District (MOWD) has made it clear to the City of Ventura and others in the adjudication that we desire and are willing to work together to solve the problems collaboratively. MOWD is proposing collaborating with the City of Ventura and others to find physical solutions to satisfy the requested habitat protection addressed in the Channel Keepers lawsuit against the City. The District continues to encourage the collaborative approach versus adjudication, but the City of Ventura chose to move forward with the summons and notification while the rest of the litigation is on hold as settlement discussions are proceeding. We are participating in these discussions with the goal of avoiding an expensive and lengthy court fight.

Meiners Oaks Water District is working hard to defend the District's water rights to be able to continue to serve you water. Some of you who are named in the adjudication also receive water from MOWD. If you chose to defend your water rights as a property owner, you should consider hiring your own attorney for your specific property rights. If you do not have independent water rights associated with your property, for example, if you do not have a well and do not plan to ever drill a well on your property, or you do not currently divert water from a creek or river and do not plan to in the future, then the adjudication may not impact you directly. An easy way to remember this point is MOWD is fighting to defend your right to receive water through your utility connection, not water rights associated with the property you own.

The adjudication is about water rights. The City of Ventura currently states it is working to avoid reaching a level of adjudication which would involve determining the allocation and priority for every user in the watershed. This is why it is so important we work quickly and do not delay the collaborative efforts of designing physical solutions to ensure our watershed remains in good condition for the people and the environment. Hopefully, anger against the City will not undermine negotiating a settlement.

Channel Keeper had opposed the City's cross-complaint to include other users in the watershed and the original judge of the case agreed, stopping the City from taking action. The City appealed the court's ruling and was approved to move forward in the adjudication.

Some customers are concerned that rainwater capture may be prohibited by the adjudication. This is possible but unlikely for two reasons. The first is because captured



rainwater slowly makes its way underground to the creeks and river arriving many months after the rain helping to sustain over summering pools for the Steelhead, so it is very beneficial. Secondly, flood flows in the river downstream of the Robles Diversion are not captured for human use so these flows will not likely be part of the adjudication.

Many of you have also voiced concerns over your property value now that you have been named in this process. Again, this comment is not meant to substitute for you asking an attorney about your specific situation but only to assist in basic clarifications. The value of a property is determined by many factors with the most important being the cost a buyer is willing to pay. If you are participating in the lawsuit to defend your right to divert water from the river/creek/tributary or using well water on your property and you sell your property, the new owner would continue participating in the adjudication because it stays with the property. This may create a title issue which must be cleared during the transaction. If you do not participate in the lawsuit then a disclosure might be required to fully inform your buyer of the situation, but this does not create a title issue to clear. Please consult your attorney or realtor for clarification. There are examples of other watersheds involved in an adjudication in which property values were not affected by the action. If a court approves a settlement, it applies to all properties whether owners participated or not.

Concurrent with the adjudication process are the ongoing studies and plans to satisfy a State required Groundwater Sustainability Plan. In September of 2014, the California Legislature enacted comprehensive legislation aimed at strengthening local control and management of groundwater basins throughout the State. Known as the Sustainable Groundwater Management Act (SGMA), the legislation provides a framework for sustainable management of groundwater supplies by local authorities. This process will need to work in conjunction with the adjudication.

If you would like to know more about MOWD actions, we welcome you to reach out with additional questions and/or to participate in our monthly meetings held on the third Tuesday of each month at 6:00 PM at the district office. Please remember details of the litigation are still confidential and not yet for public interaction. We also encourage you to participate in the Upper Ventura River Groundwater Agency meetings. Go to <https://uvrgroundwater.org> to learn about scheduled meetings.

If you have more questions about the adjudication, please call the City of Ventura directly at (805) 654-7858.

City of Ventura Water: <https://www.cityofventura.ca.gov/1646/Ventura-Water-Pure>

City of Ventura Adjudication: <https://venturariver.com/>