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FILED  
SUPERIOR COURT  
SANTA BARBARA

APR 30 1992

Russell R. Ruiz, State Bar No. 123414

KENNETH A. PEITIT, County Clerk-Recorder

By: *Janette Paynter*

JANETTE PAYNTER, Deputy Clerk-Recorder

Attorneys for Defendant GOLETA WATER DISTRICT

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA BARBARA

MARTHA H. WRIGHT, et al.,	)	CASE NO. SM57969
	)	
Plaintiffs,	)	ORDER REGARDING
	)	GOLETA'S RIGHT TO STORE
v.	)	WATER IN THE NORTH CENTRAL
	)	BASIN
GOLETA WATER DISTRICT, et al.,	)	
	)	
Defendants.	)	

On February 28, 1992, in Department 30 of the Ventura County Superior Court, this case having been transferred and assigned by the California Judicial Council, a hearing was conducted upon Goleta Water District's ("District") motion for an order allowing District the right to store and carryover basin water entitlements and upon District's Second Quarterly Report 1991-1992.

District was represented by Hill & Sandford and Russell Ruiz; overlying owners were represented by Hatch and Parent and Stanley M. Roden; City of Santa Barbara was represented by Assistant City Attorney Robert Pike; County of Santa Barbara was represented by Chief Deputy County Counsel Shane S. Stark; Santa

1 Barbara High School and Goleta Union School Districts were  
2 represented by Charles W. Willey; La Cumbre Mutual Water Company  
3 was represented by Griffith & Thornburgh and L. Donald Boden; three  
4 private parties were represented by Mullen & Henzell and Jeffrey C.  
5 Nelson and Andrew Polinsky; and Citizens for Goleta Valley were  
6 represented by the Environmental Defense Center by Marc Chytilo.

7 The Court having considered all papers filed in support  
8 of and in opposition to District's motion and Second Quarterly  
9 Report, and good cause appearing therefor, hereby makes the  
10 following orders:

11 1. The Amended Judgment in the above-entitled case,  
12 paragraph 11, is modified to grant District the continuing right to  
13 store up to 2,000 acre feet per year of water in the Goleta north-  
14 central groundwater basin ("basin") either by injection or non-  
15 pumping of its appropriative right and to later extract that stored  
16 water from the basin upon the terms and conditions set forth  
17 hereinafter;

18 2. The safe yield of the basin shall remain as defined  
19 in paragraph 3(w) and quantified in paragraph 13 of the judgment,  
20 i.e. 3410 AFY, without consideration to any stored and/or "Drought  
21 Buffer" water pursuant to District Ordinance 91-1;

22 3. District shall be estopped to assert or claim that  
23 its stored water and/or "Drought Buffer" water has diminished the  
24 safe yield of the basin;

25 4. The District shall be estopped to assert or claim  
26 that its water will affect any rights of any other party to use the  
27 basin water as set forth in the judgment, including but not limited  
28 to the overlying priority (paragraph 9) adjudicated in favor of

1 Overlying Owners, or the senior appropriator's priority (paragraph  
2 10) adjudicated in favor of La Cumbre Mutual Water Company ("La  
3 Cumbre");

4           5. Nothing in this Order shall be deemed or construed a  
5 relinquishment or waiver, or diminution of any right of water use  
6 or extraction which the County or City of Santa Barbara owns or  
7 enjoys by virtue of status as public and governmental entities  
8 (Judgment paragraphs 30,28(a)), nor affect the reservation of  
9 claims as to pueblo rights made by the City (Judgment paragraph  
10 28(b)) or the claims of a super-priority right made by the School  
11 Districts (Judgment paragraph 27(g)(3) and (h)).

12           6. Should District's extraction of its stored water  
13 and/or "Drought Buffer" water cause damage, including but not  
14 limited to a cone of depression so that Overlying Owners' or La  
15 Cumbre's pumping costs are increased more than the average under  
16 similar conditions, or otherwise make pumping uneconomical,  
17 District will mitigate said damage by reducing its extractions or  
18 provide alternative mitigation measures in the form of an  
19 alternative source of water or money damages to any damaged  
20 Overlying Owner or to La Cumbre;

21           7. The District's Annual Report required by the Judgment  
22 (paragraph 19) shall, beginning with the Annual Report due June 15,  
23 1992, and for each year thereafter, include a statement of the  
24 amount of water stored in the basin for the period covered by that  
25 Annual Report as well as the method of storage, whether by injected  
26 imported water, or banking of the District's appropriative right to  
27 basin water. The Annual Report shall also include a statement of

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1 the total cumulative amount of water claimed by the District as its  
2 stored water and/or "Drought Buffer" water in the basin.

3 8. Should any dispute arise regarding the terms and  
4 conditions set forth above, the dispute shall be submitted to this  
5 Court as a Law and Motion matter in compliance with the procedures  
6 set forth in the Judgment in paragraph 3(1).

7 9. District shall comply with the California  
8 Environmental Quality Act regarding actions taken pursuant to this  
9 order and submit reports on such compliance to this Court.

10 Dated: April 8, 1992  
11 ~~February~~     , 1992

Edwin M. Osborne  
HONORABLE EDWIN M. OSBORNE  
JUDGE OF THE SUPERIOR COURT

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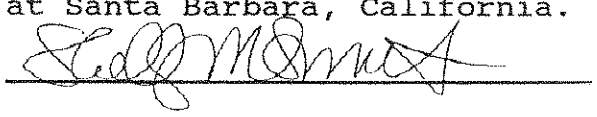
DECLARATION OF SERVICE BY MAIL

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I, the undersigned, say that I am a citizen of the United States, over 18 years of age, and am employed in the County of Santa Barbara, State of California, in which county the within-mentioned mailing occurred. I am not a party to the within action. My business address is El Presidio Building, 800 Presidio Avenue, Santa Barbara, California 93101. I served a true and correct copy of NOTICE OF ENTRY OF ORDER REGARDING GOLETA'S RIGHT TO STORE WATER IN THE NORTH CENTRAL BASIN by placing same in a separate envelope for each addressee named hereinafter, each envelope addressed as follows:  
SEE ATTACHED LIST

The within document was deposited in the United States mail, with postage fully pre-paid, at Santa Barbara, California on May 4, 1992.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.  
Executed this 4th day of May, 1992, at Santa Barbara, California.

  
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SERVICE LIST - SBSC CASE NO. SM57969

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