

Electronically Received 11/17/2025 10:28 AM

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FILED
Superior Court of California
County of Los Angeles

11/20/2025

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

SPRING STREET COURTHOUSE

14 BOLTHOUSE LAND COMPANY, LLC, a
15 California limited liability company; WM.
16 BOLTHOUSE FARMS, INC., a Michigan
17 corporation;

18 and

19 GRIMMWAY ENTERPRISES, INC., a Delaware
20 corporation, DIAMOND FARMING COMPANY,
21 a California corporation; LAPIS LAND
22 COMPANY, LLC, a California limited liability
23 company; RUBY LAND COMPANY, LLC, a
24 Delaware limited liability company;

25 Plaintiffs,

26 vs.

27 ALL PERSONS CLAIMING A RIGHT TO
28 EXTRACT OR STORE GROUNDWATER IN
THE CUYAMA VALLEY GROUNDWATER
BASIN (NO. 3-013); ALL PERSONS

Case No.: BCV-21-101927
Complex Action

**~~PROPOSED~~ ORDER REGARDING
PHASE 3 FORM DISCOVERY FOR NON-
APPEARING LANDOWNERS**

RESPONSES DUE BY JANUARY 10, 2026

Assigned for All Purposes to:
The Honorable William F. Highberger
Spring Street Courthouse – Department 10

Action Filed: August 17, 2021
Phase 2 Trial Date: TBD
Dept.: 10

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 1
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 This comprehensive groundwater adjudication commenced August 17, 2021, pursuant to the
13 Streamlined Adjudication Act, commencing with Code of Civil Procedure section 830 et. seq to
14 determine all rights to store and use groundwater in the Cuyama Valley Groundwater Basin, California
15 Department of Water Resources Basin No. 3-103 (**Basin**).

16 On February 23, 2024, the Court issued its Phase 1 Statement of Decision defining the
17 boundaries of the Basin as mapped and described by DWR in Bulletin 118. In Phase 2, the Court
18 determined that the Basin Safe Yield is 20,370 acre-feet per year.

19 Because this is an *in rem* proceeding, the Court has jurisdiction over all lands and landowners
20 within the Basin, including landowners who have not filed an Answer or otherwise appeared in this
21 case.

22 The Court has determined that a Phase 3 trial will determine the proportionate quantity of each
23 landowner's water production rights to the Safe Yield of the Basin. This includes all claims to a
24 groundwater right whether based upon an overlying right, appropriative right, prescriptive right,
25 federal reserved right, or any other basis of right which is or could be claimed, and any defenses
26 thereto.

27 With limited exceptions, all rights to the common groundwater supply are correlative and each
28 landowner's production right must be determined in relation to all other groundwater producers in the
Basin. Court-ordered Phase 3 discovery is necessary to aid in the timely and efficient litigation of
this case. There is good cause for court approved form discovery given the large number of parties,

1 the complexity of the litigation, and the need to efficiently determine the water rights of all parties
2 and individual allocations of the Basin Safe Yield for Phase 3. The Court has “broad discretion to
3 fashion suitable methods of practice in order to manage complex litigation, so long as the procedures
4 adopted do not conflict with any statute, rule of law, or Judicial Council rule[.]” (*Hernandez v. Super.*
5 *Ct.* (2003) 112 Cal.App.4th 285, 301.)

6 For these reasons, the Court is ordering that all persons and entities who own land in the Basin
7 who have not previously filed an Answer shall, consistent with the further instructions below, respond
8 to court-ordered Phase 3 discovery within the time limit set forth herein, regardless of whether or not
9 such landowner has filed an Answer in this proceeding.

10 For good cause shown, the Court **HEREBY ORDERS:**

11 Each landowner that has not previously filed an Answer in this proceeding shall, on or before
12 January 10, 2026, (1) complete and serve on all Parties by uploading to CaseAnywhere the Phase 3
13 mandatory discovery forms (“Discovery Workbook”), and (2) produce and serve on all Parties by
14 uploading to CaseAnywhere all documentation supporting its responses to the Discovery Workbook.
15 Instructions on how to access CaseAnywhere are attached hereto as **Exhibit A**.

16 The Cuyama Basin Groundwater Sustainability Agency shall, within 3 business days of entry
17 of this Order, post a copy of this Order on its website.

18 **THE WATER RIGHTS OF ANY LANDOWNER THAT FAILS TO TIMELY SERVE**
19 **A VERIFIED DISCOVERY WORKBOOK IN COMPLIANCE WITH THIS ORDER MAY BE**
20 **SUBORDINATED, REDUCED TO ZERO OR OTHERWISE SIGNIFICANTLY IMPACTED.**

21 Definitions

22 The following words and phrases shall govern the construction of this Order and the Discovery
23 Workbook unless the context otherwise requires:

- 24 1. “**YOU**” or “**YOUR**” means the individual or entity responding to this discovery,
25 including its officers, directors, agents, and employees.
- 26 2. “**BASIN**” means the Cuyama Valley Groundwater BASIN, California Department of

1 Water Resources BASIN No. 3-103 as determined by the Court on February 23, 2024.

2 3. “**DOCUMENT**” means a “writing” as defined in Evidence Code section 250, including
3 without limitation, “handwriting, typewriting, printing, photostating, photographing,
4 photocopying, transmitting by electronic mail or facsimile, and every other means of
5 recording upon any tangible thing, any form of communication or representation,
6 including letters, words, pictures, sounds, or symbols, or combinations thereof, and any
7 record thereby created, regardless of the manner in which the record has been stored.”

8 4. “**APN**” means Tax Assessor Parcel Number, usually a 9-digit number.

9 5. “**WELL NUMBER**” means the State Well number, WELL identification number, or
10 other identifying information for a WELL.

11 6. “**WELL**” means any artificial excavation constructed by any method for the purpose
12 of extracting water from the underground.

13 7. “**GROUNDWATER**” means water beneath the surface of the earth within the zone
14 below the water table in which the soil is completely saturated with water but does not
15 include water that flows in known and definite channels.

16 8. “**PROPERTY**” means an APN or a group of adjacently-located and commonly
17 operated APNs.

18 Mandatory Discovery Workbook

19 YOU are ordered to complete and serve a completed Discovery Workbook on all parties by
20 uploading it to Case Anywhere by January 10, 2026. Attached hereto as **Exhibit B** is a PDF printout
21 of the Discovery Workbook. An Excel version of spreadsheet is available through CaseAnywhere, or
22 by visiting the Cuyama Basin Groundwater Sustainability Agency’s webpage at
23 <https://cuyamabasin.org>.

24 Discovery Workbooks shall be completed and produced in native Microsoft Excel format. A
25 landowner may elect to complete and produce the Discovery Workbook in native Microsoft Word (or
26 other word processing) format by requesting a Word version of the Workbook from Plaintiffs’ counsel.

1 Each landowner shall make a reasonable and good faith effort to provide responses as complete
2 and straightforward as possible. In this context, reasonable and good faith constitutes prompt, diligent,
3 and reasonable efforts to obtain and produce the required responses.

4 Each landowner’s completed Discovery Workbook shall be accompanied by a verification
5 under penalty of perjury that the information is true and correct to the best of the landowner’s
6 knowledge. Attached hereto as **Exhibit C** is a Verification Form. Timely completing and serving the
7 Discovery Workbook shall supersede a landowner’s obligation to complete and supplement initial
8 disclosures. (Code Civ. Proc., § 842(d)(2).)

9 Mandatory Document Production

10 All landowners are ordered to produce and serve all documentation supporting its responses to
11 the Discovery Workbook (“Document(s)”) on all parties by uploading all such Document(s) to Case
12 Anywhere by January 10, 2026. Each Document must be produced in accordance with Code of Civil
13 Procedure section 2031.280, including the requirements that:

14 A. “the responding landowner shall produce the information in the form or forms in which it
15 is ordinarily maintained or in a form that is reasonably usable” and

16 B. “[a]ny documents or category of documents produced in response to a demand for
17 inspection, copying, testing, or sampling shall be identified with the specific request number to which
18 the documents respond.” (Code Civ. Proc., § 2031.280(a), (d).) Here, each produced Document shall
19 be identified to correspond with the Discovery Workbook Tab number, question number and year, if
20 applicable, in this format: Tab 1, No. 2 (2010).

21 Objections Deemed to Apply to All Parties’ Responses

22 Nothing contained herein shall obligate or commit the responding landowner to supplement or
23 amend its responses to the Discovery Workbook. The responding landowner generally objects to the
24 Discovery Workbook, and specifically to each request for information contained in the Discovery
25 Workbook, to the extent that they seek disclosure of information that is protected from disclosure by
26 the attorney-client privilege, the attorney work product doctrine, the joint defense/common interest

1 privilege, the deliberative process privilege, and pursuant to any other applicable privilege or
2 protection recognized by law, or information otherwise protected from discovery by law. The
3 responding landowner will not undertake to produce any such privileged or protected information, and
4 nothing contained in the responding landowner's response to the Discovery Workbook or these
5 objections is intended as, or shall be deemed, a waiver of any applicable privilege. The responding
6 landowner has not completed its investigation of the facts relating to this case, its discovery in this
7 case, its discovery in this action, nor its preparation for trial. The responses to the Discovery Workbook
8 are based only upon the information and documents presently available to and known by the
9 responding landowner. Nothing contained in the responses to the Discovery Workbook or these
10 objections shall be used to preclude the responding landowner from further research and investigation
11 of the facts or from presentation of the results of that research and investigation to the trier of fact at
12 the time of trial. The following objections are incorporated into each and every response to the
13 Discovery Workbooks, and as a result, Parties do not need to write these objections in or include them
14 with their responses to the Discovery Workbook: Reservation of Rights

15 By serving responses to the Discovery Workbook and supporting documentation, the
16 responding landowner does not waive their right to use or object to the admission of any responses to
17 the discovery. All landowners reserve all legally appropriate objections, including, without limitation,
18 objections based on relevance or privilege. This reservation includes, without limitation, the right to
19 assert any and all legally appropriate claims or defenses. All landowners reserve all rights to
20 supplement or amend responses as new facts become available and as the issues in other phases of the
21 case demand. All landowners reserve all rights to serve and pursue additional discovery after
22 reviewing responses to the Discovery Workbooks.

23 IT IS SO ORDERED.

24
25 Dated: 11/20/2025



HONORABLE WILLIAM F. HIGHBERGER

