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SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

SPRING STREET COURTHOUSE

[Case was originated in Kern County Superior Court]

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

and

GRIMMWAY ENTERPRISES, INC., a Delaware
corporation, DIAMOND FARMING COMPANY,
a California corporation; LAPIS LAND
COMPANY, LLC, a California limited liability
company; RUBY LAND COMPANY, LLC, a
Delaware limited liability company;

Plaintiffs,

vs.

ALL PERSONS CLAIMING A RIGHT TO
EXTRACT OR STORE GROUNDWATER IN

Case No.: BCV-21-101927
Complex Action
(Complaint filed: 8/17/2021)

**NOTICE OF ENTRY OF AUGUST 12,
2026 ORDER REGARDING MINOR
EXTRACTORS**

Honorable William F. Highberger

1 THE CUYAMA VALLEY GROUNDWATER
2 BASIN (NO. 3-013); ALL PERSONS
3 UNKNOWN, CLAIMING ANY LEGAL OR
4 EQUITABLE RIGHT, TITLE, ESTATE, LIEN,
5 OR INTEREST IN THE PROPERTY
6 DESCRIBED IN THE COMPLAINT ADVERSE
7 TO PLAINTIFF'S TITLE, OR ANY CLOUD
8 UPON PLAINTIFF'S TITLE THERETO; DOES 1
9 THROUGH 5000 and THE PERSONS NAMED
10 AS DEFENDANTS IDENTIFIED ON EXHIBIT
11 D TO THIS COMPLAINT as may be amended
12 from time to time,

Defendants.

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on August 12, 2026, the Court issued an ORDER REGARDING
MINOR EXTRACTORS, a true and correct copy is attached hereto and incorporated herein as Exhibit
"A."

DATED: August 17, 2026

ZIMMER & MELTON, LLP



By:

RICHARD G. ZIMMER

WILLIAM T. ZIMMER

Attorneys for Plaintiffs, Bolthouse Land Company, LLC
and Wm. Bolthouse Farms, Inc.

EXHIBIT “A”

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9 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

10 **SPRING STREET COURTHOUSE**

11 **[Sitting as Superior Court of California, County of Kern]**

12 BOLTHOUSE LAND COMPANY, LLC, a
California limited liability company, et al.,

13 and

14 GRIMMWAY ENTERPRISES, INC., a Delaware
15 corporation, et al.,

16 Plaintiffs,

17 vs.

18 ALL PERSONS CLAIMING A RIGHT TO
19 EXTRACT OR STORE GROUNDWATER IN
20 THE CUYAMA VALLEY GROUNDWATER
BASIN (NO. 3-013), THERE TO; ET AL.,

21 Defendants.
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FILED
Superior Court of California
County of Los Angeles

08/12/2026

David W. Slayton, Executive Officer / Clerk of Court

By: R. Lindsey Deputy

Case No.: BCV-21-101927
Complex Action

**[PROPOSED] ORDER REGARDING
MINOR EXTRACTORS**

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

Action Filed: August 17, 2021

~~[PROPOSED]~~ ORDER

The Court having considered the procedural history in this case, the Phase 1 and Phase 2 findings, and the briefs, exhibits and oral argument in support of and in opposition to the Court's November 7, 2025 Order To Show Cause Re: Why The Court Shouldn't Find Consistent With Code of Civil Procedure Section 833(d) That The Claims of Persons Extracting Up To Five Acre-Feet Per Year, Any Year, Should Be Exempted, finds and orders as follows:

1. Plaintiffs Bolthouse Land Company, LLC, Diamond Farming Company, Lapis Land Company, LLC and Ruby Land Company, LLC (collectively, "**Plaintiffs**") commenced this comprehensive groundwater adjudication on August 17, 2021, pursuant to the Streamlined Adjudication Act (Code Civ. Proc., §830, et seq.)¹ (the "**Act**") to determine all rights to extract and store groundwater in the Cuyama Groundwater Basin, Basin No. 3-013 ("**Basin**") and for imposition of a physical solution.

2. The Act establishes the methods and procedures for comprehensively adjudicating groundwater basins. (§ 830(a).) A comprehensive adjudication is presumed to be a complex action under Rule 3.400 of the California Rules of Court. (§ 838(b).)

3. Because of the number of parties and complexity of issues, comprehensive groundwater adjudications are frequently tried in phases. (§ 840(b)(5).) On February 23, 2024, the Court issued a Phase 1 Statement of Decision defining the boundaries of the Basin as mapped and described by the California Department of Water Resources in Bulletin 118 and further concluding that there are no subbasins within the Basin. On June 27, 2025, the Court issued its Statement of Decision for the Phase 2 Safe Yield trial determining that the Basin Safe Yield is 20,370-acre feet per year ("**AFY**"), as amended, *nunc pro tunc* by Order dated July 23, 2025. The Phase 3 trial will determine the groundwater rights and individual groundwater allocations of all parties.

4. On November 7, 2025, the Court issued an Order To Show Cause Re: Why The Court Shouldn't Find Consistent with Code Of Civil Procedure Section 833(d) That The Claims of Persons Extracting Up To Five Acre-Feet Per Year, Any Year, Should Be Exempted ("**OSC**").

///

¹ Unless otherwise stated all statutory citations are to the Code of Civil Procedure.

1 5. Section 833(d) provides: “If the court finds that claims of right to extract or divert
2 only minor quantities of water, not to exceed five acre-feet of water per year, would not have a
3 material effect on the groundwater rights of other parties, the court may do either of the following:
4 (1) Exempt those claimants with respect to those claims for only minor quantities of water, but a
5 person who is exempted may elect to continue as a party to the comprehensive adjudication; (2)
6 Treat those claimants separately from other parties to the comprehensive adjudication by
7 separately processing and entering orders with respect to those persons, in order to reduce their
8 burden of participation and more efficiently administer the case.” (*Id.*, as amended by Assem. Bill
9 No. 1466 (2025-2026 Reg. Sess.), effective January 1, 2026.)

10 6. To ensure that this adjudication is comprehensive and that the judgment and
11 physical solution binds all groundwater producers in the Basin, including the United States and
12 defendants who claim an overlying right to extract only minor quantities of groundwater, the Court
13 is proceeding with an Order pursuant to section 833(d)(2) that treats parties that qualify for “Minor
14 Extractor” status separately from the other parties “in order to reduce their burden of participation
15 and more efficiently administer the case.” (§ 833(d)(2).) A “**Minor Extractor Claimant**” is a
16 party claiming the right to extract five (5) AFY or less from the Basin.

17 7. To be eligible for treatment under section 833(d)(2) in this adjudication, each
18 Minor Extractor Claimant must: (a) have properly appeared (filed an answer) and timely produced
19 verified Phase 3 Court Ordered Discovery responses (“**Verified Discovery Workbooks**”) prior to
20 April 10, 2026, unless otherwise permitted by the Court pursuant to Paragraph 18 below; (b) not
21 use groundwater or plan to use groundwater pursuant to a cannabis offset commitment including,
22 but not limited to, the offset program set forth in the Project Description of a County of Santa
23 Barbara Land Use Permit for cannabis cultivation; and (c) be enrolled in CaseAnywhere for
24 electronic service and receipt of documents. If represented, enrollment in CaseAnywhere shall be
25 through counsel’s account; if self-represented, enrollment in CaseAnywhere shall be through
26 claimant’s personal CaseAnywhere account. Minor Extractor Claimants, as defined above, may,
27 without limitation, include parties located within the service area of the Cuyama Community
28 Services District, parties with no historical groundwater use or well, and parties with historical

1 groundwater use that is greater than five AFY. Any Minor Extractor Claimant who meets the
2 foregoing qualifications, subject to the prove-up process set forth in Paragraphs 12 to 15 below,
3 shall be referred to as a “**Minor Extractor.**”

4 8. A Minor Extractor is eligible for a single Minor Extractor Allocation (defined in
5 Paragraph 15 below) regardless of how many individual parcels they own in the Basin, and Minor
6 Extractor Allocations must be assigned to such parcels (collectively a single “**Property**”) pursuant
7 to their ownership as of January 1, 2026, regardless of the number of owners. Where the
8 ownership of parcels is distinct (i.e., two parcels do not share the exact same owners) but the
9 parcels share at least one of the same co-owners, such parcels shall not be treated as a single
10 Property for purposes of a Minor Extractor allocation. Any disagreement over separate qualifying
11 Minor Extractors may be resolved at a hearing pursuant to an objection filed in accordance with
12 Paragraph 13 below.

13 9. Based upon the Court’s determination of the Basin Safe Yield in Phase 2 and the
14 briefs and the supporting papers and exhibits thereto, including the Montgomery & Associates’
15 Report dated January 1, 2026,² together with the information contained in Paragraph 5 herein, and
16 the Court’s equitable powers, the Court finds that the historic cumulative pumping of the Minor
17 Extractor Claimants, including cumulative prospective pumping up to 400 AFY by Minor
18 Extractors, would not have a material effect on the groundwater rights of other parties, and further
19 that excusing the Minor Extractors from the allocations to be adjudicated in Phase 3 would
20 promote the efficient processing of this complex case by limiting the number of active parties in
21 Phase 3 of the Adjudication while protecting the rights of all parties, subject to the continuing
22 jurisdiction of the Court.

23 10. This Order shall be incorporated into any final judgment and physical solution in
24 this case for the benefit of each Minor Extractor as set forth in this Order and not in conflict with
25 this Order, whether the judgment occurs through settlement or after trial.

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28 ² Exhibit A to Derrik Williams Decl. filed Jan. 2, 2026, filed concurrently with Coalition of
Landowners For Commonsense Groundwater Solutions’ Brief in Support of OSC.

11. Each Minor Extractor shall be entitled to produce on an annual basis up to its highest historic quantity of groundwater produced from the Basin for use on its Property during the 2010 to 2021 time period, as set forth in a Minor Extractor's verified "Minor Extractor Opt-In, Verification and Disclaimer" form attached hereto as **Exhibit A ("Opt-In Form")**, or as otherwise determined by the Court after any hearing on an objection to the highest amount claimed in an Opt-In Form. The primary source of proof for the highest historic quantity produced from the Basin between 2010 and 2021 will be a party's Initial Disclosure, if an Initial Disclosure was served and listed historic water use for the Property, read together with the party's Verified Discovery Workbook. If no Initial Disclosure was served or did not include information about a Property's historic groundwater use, the source of proof for the highest historic quantity produced from the Basin between 2010 and 2021 will be a party's Verified Discovery Workbook. Inconsistent prior reported groundwater production in a party's Initial Disclosure may be used to impeach the highest historic quantity of groundwater set forth in a Minor Extractor Claimant's verified Opt-In Form pursuant to the objection process set forth below in Paragraph 13. If a Minor Extractor Claimant's historic use exceeded five AFY during the base period and it "opts in" for purposes of separate treatment as a Minor Extractor pursuant to this Order, its groundwater use as provided by its Minor Extractor Allocation (defined in Paragraph 15 below) may not exceed five AFY. If a Minor Extractor Claimant has no historic use, it shall not receive a Minor Extractor Allocation (defined in Paragraph 15 below) and shall not be entitled to produce any groundwater unless it applies for and receives new production pursuant to Paragraph 17(i) below. Pursuant to this Order, curtailment of groundwater use by non-Minor Extractors that may be included in the final judgment and physical solution in this action shall not apply to Minor Extractors except as provided in this Order or by further order of the Court based on changed circumstances, including a material change in Basin Safe Yield.

12. By October 26, 2026, Minor Extractor Claimants shall prepare a verified Opt-In Form, serve it via CaseAnywhere, and file it with the clerk of the Los Angeles Superior Court.

13. Following expiration of the opt-in period on October 26, 2026, parties will have 30 days to review the Opt-In Forms and may serve objection(s), if any, by November 25, 2026, via

CaseAnywhere and file such objection(s) with the clerk of the Los Angeles Superior Court. No formal written or deposition discovery is permitted. All objections must be accompanied by factual evidence in support of the objection. Objecting parties may use **Exhibit C (“Objection to Minor Extractor Claimant’s Opt-In Form”)** as a template to file an objection.

14. The Minor Extractor Claimant and objecting party, or parties, are directed to meet and confer about the factual dispute within 30 days of the objection being served and filed. If the objections are unresolved, the parties shall notify the Court after expiration of the 30-day meet and confer period, and the Court shall thereafter set the matter for hearing within 60 days after the objection is filed. The Minor Extractor Claimant may serve via CaseAnywhere and file with the clerk of the Los Angeles Superior Court a document with any counterevidence to the Court in a public filing at least 15 days prior to the hearing. The Court shall permit the objecting party to call the Minor Extractor Claimant as a witness. At the hearing, the Court shall resolve whether the objecting party or Minor Extractor Claimant has the burden of proof.

15. Following any hearing(s), the Court shall issue an order (1) ruling on the objection(s), (2) identifying a final list of all Minor Extractors and their parcels and excusing such parties from further participation in Phase 3 of the adjudication, (3) identifying the highest quantity of groundwater produced from a well or otherwise used by each Minor Extractor between 2010 and 2021, and (4) assigning that quantified production number to each Minor Extractors’ parcel(s) defined as the Property (“**Minor Extractor Allocation**”).

16. The Court shall incorporate each Minor Extractor Allocation into the final judgment and physical solution. A final list of parties qualifying as Minor Extractors for separate treatment under the Court’s Order and Section 833(d)(2) shall be prepared and attached to this Order and filed under separate cover.

17. Each Minor Extractor shall be entitled to produce and use groundwater from the Basin pursuant to their Minor Extractor Allocation prior to a final judgment and physical solution, provided however, each Minor Extractor shall be subject to the terms of the judgment and physical solution in this action, and in addition specifically acknowledge and agree to the following terms and conditions regarding their production and use of groundwater in the Basin:

1 (a) Each Minor Extractor may produce groundwater from any groundwater well
2 located on their Property, or from a well located on another property pursuant to a well-sharing
3 agreement or arrangement for use anywhere on their Property, including for use on parcels they
4 own that do not contain a well.

5 (b) Each Minor Extractor with the right to produce two (2) AFY or more shall
6 be required to install and maintain a flow meter to measure the amount of groundwater that is
7 produced for the benefit of their Property, regardless of whether the well is located on the Minor
8 Extractor's Property or property owned by another party and regardless of actual production in a
9 given year. If, upon demonstration by a Minor Extractor that metering is not possible for good
10 cause shown, the Court or the Court's designee shall instead require such party to use another
11 method accepted by the Court or the Court's designee to estimate the quantity of groundwater
12 produced from the Basin for the benefit of his/her/its Property. The Court or the Court's designee,
13 after notice and an opportunity to be heard, shall have the discretion to require metering for any
14 Minor Extractor with the right to produce less than two AFY. If a Minor Extractor transfers a
15 portion of its Property, both the Minor Extractor retaining a portion of the Property and the new
16 landowner shall each install and maintain a flow meter to measure the groundwater produced for
17 use on their respective properties.

18 (c) All Minor Extractors shall permit the Court, or the Court's designee, to
19 subpoena records associated with their production of groundwater from the Basin and use of that
20 groundwater on their Property.

21 (d) All Minor Extractors shall be required to report the quantity of groundwater
22 produced for the benefit of their Property annually to the Court or the Court's designee. Further,
23 Minor Extractors shall have an obligation to notify the Court or the Court's designee if their
24 annual groundwater use ever exceeds their Minor Extractor Allocation plus any new or additional
25 production that is subsequently assigned to them from the Minor Extractor Pool (see subdivision
26 (i) below), and to take steps to immediately reduce their use to less than five AFY.

27 (e) Minor Extractor Allocations are appurtenant to the specific Property held by
28 such Minor Extractors and cannot be alienated for use by other parties and/or other parcels. Upon

1 entry of final judgment, a notice of this Order and the Judgment shall be recorded against each
2 parcel within the Basin that is assigned or otherwise subject to a Minor Extractor Allocation. Such
3 notice shall (1) identify the Assessor's Parcel Number (APN); (2) state the Minor Extractor
4 Allocation applicable to the parcel and other parcels that comprise the Property; and (3) declare
5 that such right is appurtenant to the parcel and runs with the land. The Court retains jurisdiction to
6 approve the Notice to ensure it complies with applicable recording statutes and provides adequate
7 notice to the public.

8 (f) This Order, once incorporated into a final judgment and physical solution,
9 shall run with the Property of each Minor Extractor and inure to the benefit of and bind the
10 successors and assigns of the Property. A Minor Extractor that sells a portion of their Property or
11 subdivides their Property may sub-allocate the Minor Extractor Allocation across the Property, so
12 long as the sub-allocation is not less than 0.25 AFY and the total groundwater produced for the
13 benefit of all such lands and/or parcels formerly included in the Property (as identified in the Opt-
14 in process) does not exceed the Minor Extractor Allocation and any new or additional production
15 that is subsequently assigned to them from the Minor Extractor Pool (see subdivision (i) below). If
16 a Minor Extractor sells a portion of their Property or subdivides their Property, the Minor
17 Extractor shall provide the transferee with a copy of this Order and notify them of their legal
18 obligation to intervene in this action to maintain or claim a Minor Extractor Allocation. Any deed
19 transferring an interest in the Property shall state whether all or any portion the Minor Extractor
20 Allocation is being transferred together with the interest being conveyed and shall provide the
21 Court or Court's designee with a copy of the recorded instrument within thirty (30) days of the
22 transfer.

23 (g) Minor Extractors shall not be entitled to carry over for use in a future year
24 any quantity of groundwater that was permitted to be produced in a prior year, regardless of
25 whether the final judgment allows other parties to do so.

26 (h) Minor Extractors shall not be authorized to transfer by any means any
27 quantity of their Minor Extractor Allocation separate from their Property for use on any other
28 property, except as provided in this Order.

(i) Minor Extractors shall have the right to request the Court or the Court's designee via written application (which is incorporated hereto attached as **Exhibit B**) for new or additional production up to, but not in excess of, five AFY of groundwater from the Basin for any reasonable and beneficial uses upon their Property as long as total Minor Extractor production in the aggregate does not exceed 400 AFY ("**Minor Extractor Pool**"). The Court or the Court's designee may, after the Minor Extractor files and serves via CaseAnywhere its written application (Exhibit B), and after consideration of any objections within 15 days of the application, grant a Minor Extractor's request, if the Minor Extractor demonstrates: (1) it has a demand for the additional groundwater; (2) the additional groundwater that is the subject of the application will be put to reasonable and beneficial use on the Minor Extractor's Property within one year (12 months) of the Court's or the Court's designee's approval of the application for agricultural uses or within two years (24 months) of the Court's or the Court's designee's approval of the application for other uses, including for domestic uses or other structures; and (3) it is in compliance with this Order and all applicable implementing rules and regulations. Minor Extractors may apply to the Court or the Court's designee for an extension of time within which to apply any approved new or additional production to reasonable and beneficial use, and such extension may be granted upon a showing of good cause. If the application for new or additional use is granted, this new or additional production shall be added to the Minor Extractor Allocation and once it is put to reasonable and beneficial use it shall not be reallocated back to the Minor Extractor Pool. The Court has continuing jurisdiction over the Minor Extractors, including allocations granted pursuant to an application for new or additional production, as set forth in Paragraphs 17(p) and (q) below. Once production by Minor Extractors in the aggregate reaches 400 AFY, the Court may, upon motion, reallocate to the Minor Extractor Pool any approved new or additional production granted pursuant to Paragraph 17(i) that has not been put to reasonable and beneficial use within the timeframes identified above nor received an extension for good cause.

(j) An individual that purchases a portion of a Minor Extractor's Property may also apply for new or additional production so long as the total groundwater produced for the

benefit of all such lands and/or parcels formerly included within the Property does not exceed five AFY.

(k) Requests for new or additional production are deferred until the earlier of (a) completion of Phases 3 and 4 and entry of the final judgment and physical solution or (b) July 1, 2027.

(l) Provided the final judgment and physical solution allow parties who are not Minor Extractors to transfer all or a portion of their allocation, Minor Extractors may acquire the right to produce groundwater from the Basin from another party who is not a Minor Extractor nor is a participant in the cannabis offset market for use on the Minor Extractor's Property, subject to the terms of the final judgment and physical solution. For clarity, Minor Extractors shall be entitled to produce up to their Minor Extractor Allocation, not to exceed five AFY, from the Basin for use on their Property pursuant to the Minor Extractor Order, *plus* any additional quantity of groundwater that the Minor Extractor acquires from another party who is not a Minor Extractor, as may be allowed in the final judgment and physical solution. This section shall also apply to an individual or entity that purchases a portion of a Minor Extractor's Property.

(m) Minor Extractors will continue to be subject to all applicable laws and regulations, including but not limited to Article X, Section 2 of the California Constitution and the requirements, restrictions or prohibitions imposed by applicable regulatory agencies.

(n) Minor Extractors shall have a continuing obligation to notify the Court or Court's designee of any changes in ownership of their Property. Pursuant to Section 836(f), Minor Extractors who transfer Property shall disclose, on the Real Estate Transfer Disclosure Statement (if applicable) and in the Property's sale deed, that the Property is subject to this comprehensive adjudication and to this Order and shall attach a copy of this Order to the Real Estate Transfer Disclosure Statement (if applicable), and further provide the transferee with a copy of the final judgment, if one has been entered.

(o) Except as required by this Order, Minor Extractors shall be excused from participating in future phases of the Adjudication, including but not limited to filing papers, making appearances or responding to further discovery. Each Minor Extractor may participate in

1 Phase 3 or in any future phase of the Adjudication, in any settlement in any future phase, and/or in
2 any physical solution. The Court shall provide adequate due process notice to Minor Extractors if
3 any decision in this Adjudication affects their rights under this Order.

4 (p) The Court shall retain continuing jurisdiction over Minor Extractors to
5 address changed circumstances and to effectuate and enforce the terms and obligations of a final
6 judgment and physical solution entered in this case. The final judgment may contain additional
7 terms with respect to Minor Extractors consistent with this Order, including but not limited to
8 procedures and Court-approved forms that may be necessary or appropriate to implement the
9 Minor Extractor Order.

10 (q) While the Court does not anticipate that cumulative pumping by Minor
11 Extractors, up to 400 AFY, will materially affect other groundwater users under current reasonable
12 expectations, nothing in this Order precludes the Court from correlatively reducing any Minor
13 Extractor Allocation based on a material change in the Basin Safe Yield after notice and an
14 opportunity to be heard.

15 18. At the April 27, 2026 (continued to April 28, 2026), Order to Show Cause
16 Regarding Failure to File an Answer and Submit Phase 3 Form Discovery, the Court adjudged and
17 determined that approximately 450 individuals and entities identified by Plaintiffs have failed to
18 appear and prove their claim pursuant to Code of Civil Procedure section 836(k). Accordingly, the
19 Court found the correlative share of the Basin water supply adjudicated to the overlying rights
20 holders who have failed to appear is reduced to zero and subordinated to those correlative rights
21 holders who have appeared in this adjudication and are presently using the available supply. No
22 individual or entity whose water rights were reduced to zero, and who did not obtain relief from
23 the Court setting aside that determination, shall be eligible to apply for a Minor Extractor
24 Allocation.

25 19. Any individual or entity whose water rights have not been reduced to zero but who
26 seeks to appear in this action after the Court ordered deadline shall likewise be ineligible to apply
27 for a Minor Extractor Allocation. However, if the Court permits such individual or entity to appear
28 and participate in this action upon a showing of good cause, the Court may allow that party to

1 acquire groundwater from another party that is not a Minor Extractor, to the extent permitted under
2 the Final Judgment and Physical Solution.

3 **IT IS SO ORDERED**

4
5 Dated: 08/12/2026



A handwritten signature in black ink, which appears to read "W.F. Highberger", is written over a horizontal line.

6 JUDGE OF THE SUPERIOR COURT
7 William F. Highberger / Judge

EXHIBIT A

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
SPRING STREET COURTHOUSE
[Sitting as Superior Court of California, County of Kern]

BOLTHOUSE LAND COMPANY, LLC, a
California limited liability company, et al.,

and

GRIMMWAY ENTERPRISES, INC., a Delaware
corporation, et al.,

Plaintiffs,

vs.

ALL PERSONS CLAIMING A RIGHT TO
EXTRACT OR STORE GROUNDWATER IN THE
CUYAMA VALLEY GROUNDWATER BASIN
(NO. 3-013), THERETO; ET AL.,

Defendants.

Case No.: BCV-21-101927
Complex Action

**MINOR EXTRACTOR OPT-IN AND
VERIFICATION FORM OF**
[Insert Party Name: _____]

**[THIS OPT-IN FORM IS DUE BY
OCTOBER 26, 2026 AND MUST BE:
(A) SERVED VIA CASE
ANYWHERE; AND (B) FILED WITH
THE CLERK OF THE LOS
ANGELES SUPERIOR COURT.]**

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

Action Filed: August 17, 2021

1 The undersigned represents and warrants under penalty of perjury under the laws of the State
2 of California that the following is true and correct, and if called as a witness, could and would
3 competently testify thereto.

4 I, _____, declare as follows:

5 1. I am the owner, co-owner, and/or the authorized representative of the owner of the
6 following real property in the Basin described as Assessor's Parcel Number(s) ("APNs")

7 _____
8 _____

9 (collectively, the "Property"). The owner, or co-owner, does not own any other whole or partial
10 interest in other real property in the Basin, except for the following APNs:

11 _____.

12 2. Title to the above-listed Property is held as follows: _____.

13 3. No other person or entity co-owns the Property, other than

14 _____.

15 4. I timely filed an Answer in Case No.: BCV-21-101927.

16 5. I acknowledge that I have read, understood, and agree to be bound by the Court's
17 Final Minor Extractor Order dated _____, 2026.

18 6. A verified Phase 3 Court-Ordered Form Discovery Workbook for the Property has
19 been served in this action.

20 7. The highest historical groundwater use on the Property between 2010 and 2021 is
21 _____ acre feet per year (AFY). If there is no historical groundwater use on the Property note 0.0
22 AFY.

23 8. The Property includes a well(s) on APN(s) _____ or has access to a
24 groundwater well located on APN(s) _____, subject to a well sharing agreement or
25 other arrangement. Note "N/A" if the Property does not contain a groundwater well or have access
26 to a groundwater well.

27 9. The undersigned does not extract groundwater under a cannabis or other groundwater
28 offset program.

1 10. I hereby agree to: (1) limit groundwater use on the Property to no more than the
2 Minor Extractor Allocation assigned to the Property pursuant to Paragraph 15 of the Court's Final
3 Minor Extractor Order, unless I apply for and receive approval for new or additional production,
4 and (2) in no circumstances use more than five (5) AFY of groundwater on the Property consistent
5 with the Court's Final Minor Extractor Order, unless additional groundwater is procured from a
6 water market via a transfer of a groundwater allocation from a non-Minor Extractor.

7
8 Dated: _____

Signature:³ _____

9 Name: _____

10 Title (if applicable): _____

11
12
13
14
15 _____
16 ³ If this Opt-In Form is prepared on behalf of a fictitious entity owning land in the Basin, it shall
adhere to the following signature requirements:

17 **A. Trusts**

Documents submitted by a trust shall be signed by the trustee on behalf of a trust. (Prob. Code, § 16242(b).) If there are multiple trustees, all trustees must sign this Opt-In Form on behalf of the trust by adding additional signature blocks to this form. (Prob. Code, § 15620.)

18 **B. Corporation**

19 Documents submitted by a corporations, including C corporations and S corporations, shall be
20 signed by two officers, one from the "chairperson of the board, the president or any vice
president[;]" and a second from "the secretary, any assistant secretary, the chief financial officer or
any assistant treasurer of such corporation[.]" (Corp. Code, § 313.) An additional signature block
21 may be added to this form.

22 **C. Limited Liability Companies**

Documents submitted by a limited liability company shall be signed by a Member, if the LLC is
member-managed; or a Manager, if the LLC is manger-managed; on behalf of the limited liability
23 company. (Corp. Code, § 17703.01(a) and (b)(2).)

24 **D. General Partnerships**

Documents submitted by a general partnership shall be signed by a partner on behalf of the
partnership. (Corp. Code, § 16301(1).)

25 **E. Limited Partnerships**

Documents submitted by a limited partnership shall be signed by a general partner on behalf of the
26 limited partnership. (Corp. Code, § 15904.02(a).)

27 Each person signing on behalf of a fictitious entity represents that (a) the entity is a duly
28 authorized and existing entity or trust, and (b) each person signing on behalf of an entity or trust is
authorized to do so.

EXHIBIT B

Note: Applications for new or additional production not to exceed 5 AFY may not be served and filed until the earlier of: (a) completion of Phases 3 and 4 of this comprehensive groundwater adjudication and entry of the final judgment and physical solution, or (b) July 1, 2027. Once completed, this Application must be (a) served via CaseAnywhere; and (b) filed with the clerk of the Los Angeles Superior Court.

MINOR EXTRACTOR APPLICATION FOR NEW OR ADDITIONAL GROUNDWATER PRODUCTION

Cuyama Valley Groundwater Basin

Date _____

Contact Information:

Property Owner/Adjudication Party Name _____

Property Owner Mailing Address _____

Contact Phone Number _____ Contact Email _____

Property Information:

Property Owner APN(s) _____

Ranch Name _____

Well Information:

Existing well(s) Latitude/Longitude (or x, y) _____

If a new well is proposed, include proposed well site APN _____

Is existing well equipped with a meter (Y/N)? _____

If not, and you are planning to pump more than 2-acre feet per year (AFY), when will a well meter be installed?

Groundwater Use Information:

What is your Minor Extractor Allocation? (AFY) _____

How much water did you use on your Property last year? (AFY) _____

*If you do not currently have a Minor Extractor Allocation list zero for both questions.

Information on New or Additional Groundwater Production?

Quantity of new or additional groundwater requested _____

To what purpose will you apply new or additional groundwater if this request is granted? _____

Will the new or additional groundwater production be used for agricultural purposes or other uses (e.g. domestic, ancillary agriculture uses, new structures)?

What, if any, entitlements or permits are required to put this water to use _____

If entitlements or permits are needed to commence new use (e.g., residence, agricultural structure, reservoir, etc.) have you applied for entitlements or permits? _____

List type of permit(s) required for new use, along with approving jurisdiction (Kern, Ventura, Santa Barbara or San Luis Obispo Counties) _____

What is the estimated timeline to commence use of new or additional groundwater? _____

APPLICANT CERTIFICATIONS, ACKNOWLEDGMENTS AND SIGNATURE(S)

Under penalty of perjury, I understand and agree to be bound by the terms of the Minor Extractor Order. I certify that the information provided on this *Minor Extractor Application for New or Additional Groundwater Production* is correct to the best of my knowledge and that the signature below, whether original, electronic, or photocopied, is authorized and valid, and is affixed with the intent to be enforceable. I understand that it is my responsibility to notify the Court (or designee) of any changes in any of the information provided on this form within 20 days of the changed status.

I certify that I opted into the Court's Minor Extractor Order and agree not to produce more than my Minor Extractor Allocation plus any new or approved additional amount, not to exceed 5 AFY, for use on my Property. I understand that I have one (1) year from the date of approval of this request to put any new or additional groundwater to beneficial use on my Property for agricultural use and two (2) years for other uses, including for domestic uses or other structures, and that I must notify the Court and request an extension for good cause if I am unable to meet this deadline.

I certify that I will comply with all restrictions set forth in the Minor Extractor Order, and I understand that failure to comply may result in the amendment or revocation of any new or additional production approved for my Property. I further understand and agree that the Court's (or its designee's) approval of such production rights, if granted, is not permanent and may be modified or revoked if I violate the terms of the Minor Extractor Order. I understand that I may not carry over to a future year any unused portion of groundwater authorized for production in a prior year, regardless of whether the final judgment or physical solution allows other parties to do so.

I understand that if total groundwater production by all Minor Extractors reaches 400 AFY, no new or additional Minor Extractor groundwater requests will be approved by the Court or its designee unless, upon motion, the Court finds that a Minor Extractor has not put its new or additional Minor Extractor production to beneficial use within the applicable time period (one or two years) of the request being granted, and has not received an extension for good cause.

Finally, I understand that the Court or the Court's designee may develop an annual process to receive applications for new or additional production. I understand that the Court has continuing jurisdiction over the Minor Extractors, including allocations granted pursuant to an application for new or additional production and that the Court may correlatively reduce any Minor Extractor Allocation based on a material change in the Basin Safe Yield after notice and an opportunity to be heard.

Date: _____

Signature of Applicant: _____

TO BE COMPLETED BY THE COURT (OR DESIGNEE):

Approval _____ Date _____

NOTE: This application is not for a well construction permit; if a new well permit is requested, a completed and approved application must be submitted to the appropriate well permitting agency (e.g., Kern, Santa Barbara, San Luis Obispo and Ventura Counties) for a well construction permit, if the well is to be installed within the Cuyama Valley Groundwater Basin Adjudicated Area.

EXHIBIT C

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
SPRING STREET COURTHOUSE
[Sitting as Superior Court of California, County of Kern]

BOLTHOUSE LAND COMPANY, LLC, a
California limited liability company, et al.,

and

GRIMMWAY ENTERPRISES, INC., a Delaware
corporation, et al.,

Plaintiffs,

vs.

ALL PERSONS CLAIMING A RIGHT TO
EXTRACT OR STORE GROUNDWATER IN
THE CUYAMA VALLEY GROUNDWATER
BASIN (NO. 3-013), THERETO; ET AL.,

Defendants.

Case No.: BCV-21-101927
Complex Action

**OBJECTION TO MINOR EXTRACTOR
CLAIMANT’S OPT-IN FORM**

**[THIS OBJECTION IS DUE BY
NOVEMBER 25, 2026 AND MUST BE: (A)
SERVED VIA CASE ANYWHERE; AND
(B) FILED WITH THE CLERK OF THE
LOS ANGELES SUPERIOR COURT.]**

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

Action Filed: August 17, 2021

Insert name and contact information of party objecting to Minor Extractor Claimant's Opt-In Form.

Email Address: _____
