

E-FILED  
3/3/2022 1:27 PM  
Superior Court of California  
County of Fresno  
By: I. Herrera, Deputy

**NOTICE! You have been sued. The court may decide against you without your being heard unless you respond no later than April 15, 2022. Read information below.**

**(¡AVISO! Lo han demandado. Si no responde antes del fin de día el Abril 15, 2022, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.)**

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF FRESNO  
Case Number (Número del Caso) 22CECG00163

**SUMMONS**  
**(CITACIÓN JUDICIAL)**  
(Code Civ. Proc., §§ 861.1, 863)

**NOTICE TO DEFENDANTS:**

***(AVISO AL DEMANDADO):***

ALL PERSONS INTERESTED IN THE MATTER OF THE CONTRACT BETWEEN THE UNITED STATES AND COUNTY OF FRESNO PROVIDING FOR PROJECT WATER SERVICE AND FACILITIES REPAYMENT,

**YOU ARE BEING SUED BY PLAINTIFF:**

***(LO ESTA DEMANDANDO EL DEMANDANTE):***

COUNTY OF FRESNO

**All persons interested in the matter listed above and described below may contest the legality or validity of the matter by appearing and filing a written answer to the complaint not later than April 15, 2022.**

Persons who contest the legality or validity of the matter will not be subject to punitive action, such as wage garnishment or seizure of their real or personal property.

Unless you respond timely, a default will be entered upon application by Plaintiff, and Plaintiff may apply to the Court for the relief demanded in the Complaint. **You may seek the advice of an attorney in any matter connected with the complaint or this summons. Such attorney should be consulted promptly so that your pleading may be filed or entered within the time required by this summons.**

**DETAILED SUMMARY OF THE MATTER:**

The United States has constructed and is operating the California Central Valley Project ("Project") for diversion, storage, carriage, distribution, and beneficial use, for flood control, irrigation, municipal, domestic, industrial, fish and wildlife mitigation, protection and restoration, generation and distribution of electric energy, salinity control, navigation, and other

beneficial uses, of waters of the Sacramento River, the American River, the Trinity River, and the San Joaquin River and their tributaries.

On August 20, 1975, County entered into a contract for water service with the United States, Contract No. 14-06-200-8292, as amended, which provided for the delivery of water to County through Project facilities. County subsequently entered into interim renewal contracts identified as Contract No. 14-06-200-8202A-OR1 through IR18, which provided for and provide for the continued water service to County from March 1, 2020 through February 28, 2022.

On or about December 16, 2016, the 114th Congress of the United States of America enacted the Water Infrastructure Improvements for the Nation Act (Pub. L. 114-322, 130 Stat. 1628) ("WIIN Act"). Section 4011(a)(1) of the WIIN Act provides that: "upon request of the contractor, the Secretary of the Interior shall convert any water service contract in effect on the date of enactment of this subtitle and between the United States and a water users' association [Contractor] to allow for prepayment of the repayment contract pursuant to paragraph (2) under mutually agreeable terms and conditions."

Pursuant to, and consistent with, the WIIN Act, County requested that the United States convert the County's existing interim renewal contract to a repayment contract. The United States and County subsequently negotiated terms and conditions to convert County's existing interim renewal contract to a repayment contract, and those terms and conditions are set forth in the "Contract Between the United States and the County of Fresno Providing for Project Water Service and Facilities Repayment" (hereinafter "Contract.") The Contract also reflects the current standard terms and conditions required by the Reclamation Manual, and continues water service to the County in the same scope and nature of the ongoing Project and its existing facilities.

Under the Contract, ongoing receipt and delivery of water to the County will continue with no expansion of service and no new facilities constructed because the County will deliver the water received under the Contract: (a) to lands within the County's boundaries for beneficial use and that have been in production in CSA No. 34, and (b) through existing facilities.

County has reviewed the terms and conditions of the Contract and finds the form and content thereof to be acceptable to the County and appropriate for execution. The terms and conditions of the Contract are within the scope of, and consistent with, the County's powers and authorities under the Constitution of California and other applicable California law. On November 16, 2021, at a duly-noticed and regular meeting of the County's Board of Supervisors, the Board of Directors approved the execution of the Contract

This action is brought in this court as a special in rem validation proceeding for the judicial examination and validation of the Contract. County seeks a validation judgment under Code of Civil Procedure sections 860 through 870.5, and other applicable law. County further seeks judicial examination, approval, and confirmation of the proceedings leading up to and including the approval of the Contract. All such proceedings by and for the County, as set forth herein, were, and are, in the best interests of the County and all interested parties, and were, and are, in conformity with the provisions of all laws and enactments at any time in force or controlling

upon such proceedings, whether of law, statute or ordinance, and whether federal, state or municipal and were, and are, in conformity with all requirements of all regulatory bodies, agencies or officials having authority over or asserting over the proceedings or any part thereof

The name and address of the court is (El nombre y dirección de la corte es):

FRESNO COUNTY SUPERIOR COURT  
B.F. Sisk Courthouse  
1130 O Street  
Fresno, CA 93721

The name, address and telephone number of Plaintiff's attorney is (El nombre, la dirección y el número de teléfono del abogado del demandante es):

Jeffrey V. Dunn  
Daniel L. Richards  
BEST BEST & KRIEGER LLP  
18101 Von Karman Avenue, Suite 1000  
Irvine, California 92612  
(949) 263-2600

DATE: 3/3/2022  
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Clerk, by /s/ I. Herrera, Deputy



(Seal)