Filed
September 24, 2026
Clerk of the Court
Superior Court of CA
County of Santa Clara
2014-1-CV-265039
By: egonzalez

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC, et al.,

Plaintiffs,

v.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

Case No. 1-14-CV-265039 (Lead Case Consolidated with Case No. 1-14-CV-269212)

FINAL JUDGMENT

Action Filed: November 25, 2013

I. INTRODUCTION

1. A group of landowners owning properties located in San Luis Obispo County and Monterey County ("Steinbeck Plaintiffs") filed the original complaint in this action on November 25, 2013. Steinbeck Plaintiffs subsequently amended their complaint. Their Second Amended Complaint for Quiet Title, dated August 1, 2014, alleges a single cause of action for quiet title against Atascadero Mutual Water Company ("AMWC"), City of El Paso De Robles ("City"), County of San Luis Obispo ("County"), San Luis Obispo County Flood Control and Water Conservation District ("County District"), San Miguel Community Services District ("San Miguel"), and Templeton Community Services District ("Templeton", collectively with the other Defendants, the "Water Suppliers and Local Agencies" or "Water Suppliers"). Specifically, Steinbeck Plaintiffs sought "to quiet title to the superior priority of Plaintiffs' overlying water rights as to each Parcel, and as to the quantity of any alleged superior or coequal rights, as against the claims of any Defendant which claims a superior or coequal right to extract, use and/or allocate groundwater for non-overlying use or which in any other way diminishes the priority of overlying groundwater rights of Plaintiffs." (Second Amended Complaint, ¶13.) Pursuant to Code of Civil Procedure Section 761.020(d), the date of the determination of Steinbeck Plaintiffs' claim is the date of filing of the complaint – November 25, 2013.

2. On April 28, 2014, Plaintiff Robert Eidemiller separately filed a complaint seeking quiet title and declaratory relief. The City moved to consolidate Plaintiff Eidemiller's action with Steinbeck Plaintiffs' action. The motion was unopposed and the Court consolidated the two actions on December 5, 2014. The date of the determination of Plaintiff Eidemiller's claim is the date of filing of his complaint. (Code Civ. Proc., § 761.020(d).)

II. JUDGMENT

1. The matter came on for trial in multiple phases. This Final Judgment incorporates by reference each of the following attached orders, statement of decisions, and jury verdicts:

   a. Order & Ruling on Phase 1 Trial, dated April 11, 2016, attached hereto as **Exhibit A**. The Court notes that Plaintiff Eidemiller did not appear or present any evidence for the Phase 1 trial.

b. Order re Phase 2 Trial, dated August 25, 2017, attached hereto as **Exhibit B**. The Court notes that Exhibit B inadvertently identified Barbara Brenner and Kerry Fuller of Churchwell White, LLP as counsel for the County and County District, instead of San Miguel. The correct counsel for County and County District at the time of the order was Elizabeth Ewens of Ellison, Schneider & Harris. This correction is clerical only and does not alter any finding, ruling, determination, or substantive provision of the order.

c. Stipulation Regarding Groundwater Basin Boundary; Order, dated September 5, 2017, attached hereto as **Exhibit C**.

d. Special Verdicts on Prescriptive Right to Water, dated September 24, 2018, attached hereto as **Exhibit D**.

e. Order Re Defendant Atascadero Mutual Water Company's Overlying Rights to Percolating Groundwater, dated November 16, 2018, attached hereto as **Exhibit E**.

f. Order re Phase 5 Quantification of Prescriptive Right, dated June 7, 2019, attached hereto as **Exhibit F**. The Court notes that this order inadvertently identified this phase as Phase 5 instead of Phase 4. This correction is clerical only and does not alter any finding, ruling, determination, or substantive provision of the order.

g. Order Admitting Evidence and Making Findings Consistent with the Joint Stipulation Regarding Plaintiff Asilleus-Paso Robles, LLC, dated May 17, 2022, attached hereto as **Exhibit G**. The Court notes that this order inadvertently misspells Plaintiff Asellus-Paso Robles, LLC by omitting the letter "e" from its name. This correction is clerical only and does not alter any finding, ruling, determination, or substantive provision of the order.

h. Phase 5 Final Statement of Decision, dated March 4, 2024, attached hereto as **Exhibit H**.

i. Order re Phase 6 Trial, dated August 21, 2026, attached hereto as **Exhibit I.**

2. There remain no further contested issues to be determined in this matter.

Accordingly, this Final Judgment concludes this action.

III. ENTRY OF FINAL JUDGMENT

The Clerk shall enter this Final Judgment.

Dated: September 23, 2026

HON. ELIZABETH C. PETERSON
Judge of the Superior Court

EXHIBIT A

RECEIVED: Feb 10, 2016 2:54 PM, Superior Court of CA, County of Santa Clara, Case #1-14-CV-265039 Filing #G-80721

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Apr 11, 2016 2:08 PM
David H. Yamasaki
Chief Executive Officer/Clerk
Superior Court of CA, County of Santa Clara
Case #1-14-CV-265039 Filing #G-82700
By R. Walker, Deputy

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SUPERIOR COURT OF CALIFORNIA

COUNTY OF SANTA CLARA

* * *

STEINBECK VINEYARDS #1, LLC, et al.,

Plaintiffs,

vs.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

ROBERT EIDEMILLER,

Plaintiff,

vs.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

CASE NO. 1-14-CV-265039
(Consolidated with Case No. 1-14-CV-269212)

[PROPOSED] ORDER & RULING ON PHASE 1 TRIAL

PHASE 1 TRIAL DATE:
January 5, 2016
January 11, 2016

TIME: 9:00 a.m.
DEPT: 1 Hon. Peter H. Kirwan

The Phase 1 trial in this matter was heard on January 5th and January 11th, 2016. Parties appeared through their counsel as follows: Plaintiffs were represented by their attorney Richard G. Zimmer of Clifford & Brown, Defendant Atascadero Mutual Water Company was represented by Robert Saperstein of Brownstein, Hyatt, Farber, Schreck LLP, Defendant Templeton Community Services District was represented by Andrew Ramos of Bartkiewicz, Kroniek & Shanahan, Defendant City of Paso Robles was represented by Jeffrey

Dunn and Wendy Wang of Best, Best & Krieger LLP, Defendants County of San Luis Obispo and San Luis Obispo County Flood Control and Water Conservation District were represented by Elizabeth Ewens of Ellison, Schneider & Harris, and San Miguel Community Services District was represented by Barbara Brenner and Kerry Fuller of Churchwell White, LLP.

Based upon the evidence submitted during the Phase 1 Trial, including arguments and briefs submitted with respect thereto, the Court rules, finds and orders, as follows:

1. The Plaintiffs have met their burden of proof in showing their prima facie case for Quiet Title.

2. The burden of proof now shifts to Defendants to prove their affirmative defenses.

IT IS SO ORDERED.

Dated: 4/11/16

HON. PETER H. KIRWAN

EXHIBIT B

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC; et al., Plaintiffs, vs. COUNTY OF SAN LUIS OBISPO; et al., Defendants.	Case No.: 2014-1-CV-265039 Consolidated With: 2014-1-CV-269212 **ORDER RE PHASE 2 TRIAL**

The Phase 2 trial in this matter was heard before the Honorable Judge Peter Kirwan in a court trial that proceeded on January 25, 26, 27, 28 and February 10th, 2016 in Department 1 of the Santa Clara County Superior Court. In the interest of judicial economy and under its inherent discretion, the Court bifurcated the affirmative defenses raised by Defendants Atascadero Mutual Water Company ("AMWC") and Templeton Community Services District ("TCSD") regarding their claim that they pump groundwater from a separate groundwater basin. The Plaintiffs were represented by Richard Zimmer of Clifford and Brown. Defendant Atascadero Mutual Water Company was represented by Robert Saperstein and Jessica Diaz of Brownstein, Hyatt, Farber, Schreck, LLP. Defendant Templeton Community Services District was represented by Andrew Ramos of Bartkiewicz, Kronick, and Shanahan. Defendant City of El Paso de Robles was represented by Jeffrey Dunn and Wendy Wang of Best, Best and

Krieger LLP. Defendants County of San Luis Obispo and San Luis Obispo County Flood Control and Water Conservation District was represented by Barbara Brenner and Kerry Fuller of Churchwell White, LLP. Following the submission of the evidence as well as the submission of written briefs and the closing arguments of counsel, the Court enters the following Order regarding Phase 2 of the *Steinbeck* litigation.

The principal controverted issue in the Phase 2 trial was whether the Proposed Atascadero Basin Area (the "Atascadero Area") was a separate groundwater supply from the Paso Robles Basin and should be considered a separate and legally distinct basin in this litigation.[1] At trial, AMWC and TCSD argued that the Atascadero Area is a distinct supply of groundwater from the Paso Robles Basin because the bedrock offset by the Rinconada Fault forms a barrier to groundwater flow into the rest of the Paso Robles Formation. The Atascadero Area is generally located southwest of what is known as the Paso Robles Basin and the aquifer that contains percolating groundwater for both the Paso Robles Basin and the Atascadero Area is known as the Paso Robles Formation. At trial, AMWC and TCSD presented evidence that on the eastern side of the Atascadero Area, the bedrock creates a barrier to groundwater flow into the Paso Robles Formation for approximately 85% of the northern and eastern boundary. The parties did not dispute that despite this barrier, there was some hydrologic "communication" or "connectivity" between the two areas at the northernmost portion of the Atascadero Area, i.e. the remaining 15%. Evidence presented during trial established that approximately 400-600 acre-feet of percolating groundwater flowed each year from the Atascadero Area to the rest of the Basin. AMWC and TCSD argued that even though there was some hydrologic connectivity, the amount of flow was so small that it was "immaterial" as extractions from one area (Atascadero Area) did not materially affect the amount of groundwater available in the other (Paso Robles Basin).

[1] The Proposed Atascadero Basin Area advocated by AMWC and TCSD will be referred to in this Order as the "Atascadero Area.".

At trial, there was additional evidence submitted which established that an average of 9039 acre-feet of subsurface water flows from the Atascadero Area to the rest of the Paso Robles Basin through the alluvium formation each year. Furthermore, a significant percentage of this subsurface flow which crossed the Rinconada Fault from the Atascadero Area recharged the percolating groundwater in the rest of the Paso Robles Basin. While the Court recognizes that there are two separate and distinct legal principles that apply to appropriation of surface water (including subterranean streams) and percolating groundwater[2], the Court disagrees with AMWC/TCSD's argument that this subsurface flow is totally irrelevant to the adjudication of their affirmative defense. This is a quiet title action where plaintiffs seek an adjudication of their rights to percolating groundwater as overlying property owners. The Phase 2 trial established that there is hydrologic connectivity between the Atascadero Area and the Paso Robles Basin both with respect to the flow of percolating groundwater and subsurface water which recharges the percolating groundwater. Department of Water Resources ("DWR") Bulletin 118[3] which was referenced repeatedly at trial by all parties defines a groundwater basin as "an alluvial aquifer or a stacked series of alluvial aquifers with reasonably well-defined boundaries in a lateral direction and a definable bottom. Lateral boundaries are features that significantly impede groundwater flow such as rock or sediments with very low permeability or a geologic structure such as a fault...." (DWR Bulletin 118 (2003) at pg. 88). DWR Bulletin 118 further provides that a basin is "three-dimensional and includes all subsurface fresh-water bearing material." (DWR Bulletin 118 (2003) at pg. 89). Given this definition and in the context of this quiet title action where AMWC/TCSD can still potentially assert adverse claims against the Plaintiffs who overlie the Paso Robles Basin given the connectivity of the two areas, the Court does not find a legal or factual basis for separating the Atascadero Area from the Paso Robles Basin area as requested by AMWC/TCSD in Phase 2.

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[2] Groundwater classified as percolating groundwater is not subject to California's Water Code provisions regarding the appropriation of stream water which requires a State-issued water right permit or license.

[3] DWR Bulletin 118 (2003) attached as Exhibit 2 to the Request for Judicial Notice.

For the reasons set forth above, AMWC/TCSD's affirmative defense that the Atascadero Area is a separate and distinct basin for purposes of this quiet title action is DENIED.

IT IS SO ORDERED.

Dated: 8/25/17

Honorable Peter H. Kirwan
Judge of the Superior Court

EXHIBIT C

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Exempt from Filing Fees Per Government Code § 6103

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County of Santa Clara
2014-1-CV-265039
Reviewed By:R. Walker

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC, et al.,

Plaintiffs,

v.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

Case No. 1-14-CV-265039 (Lead Case
Consolidated with Case No. 1-14-CV-269212)

Judge: Hon. Peter H. Kirwan

STIPULATION REGARDING GROUNDWATER BASIN BOUNDARY; ~~[PROPOSED]~~ ORDER

Complaint filed: November 25, 2013
Basin Boundary Trial: September 11, 2017

STIPULATION REGARDING GROUNDWATER BASIN BOUNDARY

Plaintiffs Steinbeck Vineyard #1, LLC, et al., and defendants City of El Paso De Robles, Atascadero Mutual Water Company, County of San Luis Obispo, San Luis Obispo County Flood Control and Water Conservation District, San Miguel Community Service District, and Templeton Community Services District stipulate and agree as follows:

1. The Court has determined that it will conduct a trial on basin boundaries on September 11, 2017 through September 12, 2017. The parties disagree regarding the appropriateness of conducting a separate trial on basin boundaries and reserve all appellate arguments regarding same. However, in the interests of judicial economy, without limiting the admissibility of evidence to prove claims or defenses, and without waiving the right to a jury trial on any claims or defenses, the parties stipulate as follows:

2. The basin boundary of the groundwater basin at issue in the consolidated cases is the outermost exterior boundary line for the Paso Robles Area Subbasin (3-004.06) and Atascadero Area Subbasin (3-004.11) identified by the California Department of Water Resources ("DWR") in the GIS Shapefiles posted to DWR's website pursuant to the 2016 Bulletin 118 Interim Update, and as described in DWR's revised (2016) basin boundary descriptions attached hereto as Exhibit "A." For reference, a screenshot of the Paso Robles Area Subbasin (3-004.06) and Atascadero Area Subbasin (3-004.11) as shown on DWR's mapping tool is attached hereto as Exhibit "B."

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Dated: August 24, 2017

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DATED: August 24, 2017

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DATED: August 24, 2017

CLIFFORD & BROWN

By: _____
RICHARD G. ZIMMER
Attorneys for Plaintiffs

[PROPOSED] ORDER REGARDING GROUNDWATER BASIN BOUNDARY

Pursuant to the stipulation of Plaintiffs Steinbeck Vineyard #1, LLC, et al., and defendants City of El Paso De Robles, Atascadero Mutual Water Company, County of San Luis Obispo, San Luis Obispo County Flood Control and Water Conservation District, San Miguel Community Service District, and Templeton Community Services District, and good cause appearing:

IT IS HEREBY ORDERED that:

1. The basin boundary of the groundwater basin at issue in the consolidated cases is the outermost exterior boundary line for the Paso Robles Area Subbasin (3-004.06) and Atascadero Area Subbasin (3-004.11) identified by the California Department of Water Resources ("DWR") in the GIS Shapefiles posted to DWR's website pursuant to the 2016 Bulletin 118 Interim Update, and as described in DWR's revised (2016) basin boundary descriptions attached hereto as Exhibit "A." For reference, a screenshot of the Paso Robles Area Subbasin (3-004.06) and Atascadero Area Subbasin (3-004.11) as shown on DWR's mapping tool is attached hereto as Exhibit "B."

2. This order does not limit the admissibility of evidence of the parties to prove claims or defenses and does not waive parties' rights to a jury trial in subsequent trials in this consolidated action.

3. The September 11, 2017 trial on the basin boundary is taken off-calendar as moot.

IT IS SO ORDERED.

Dated: 9/5/17

HON. PETER H. KIRWAN

EXHIBIT A

3-004.06 SALINAS VALLEY - PASO ROBLES AREA

Basin Boundaries

Summary

The Paso Robles groundwater subbasin is part of the Salinas Valley groundwater basin located generally north and east of the City of Paso Robles. The subbasin is bounded on the east by the Temblor Range and the San Andreas Fault, on the south by the La Panza Range, and on the west by the Santa Lucia Range and the Rinconada Fault. The boundary is defined by 24 segments detailed in the descriptions below.

Segment Descriptions

Segment Label	Segment Type	Description	Ref
1-2	Groundwater Divide	Continues from point (1) and crosses the alluvial deposits along a groundwater divide to point (2).	(a)
2-3	Alluvial	Begins from the point (2) and generally follows the contact of alluvium with Pliocene and Miocene marine deposits to point (3).	(b)
3-4	Alluvial	Continues from point (3) and crosses the Pleistocene alluvial deposits to point (4).	(b)
4-5	Alluvial	Begins from the point (4) and generally follows the contact of alluvium with Pliocene and Miocene marine deposits to point (5).	(b)
5-6	Fault	Continues from point (5) and generally follows the San Andreas Fault to point (6).	(b)
6-7	Alluvial	Continues from point (6) and follows the contact of alluvium with marine deposits or ultrabasic intrusive rocks to point (7).	(b)
7-8	Watershed	Continues from point (7) and follows the Estrella River Watershed to point (8).	(c)
8-9	Watershed	Continues from point (8) and generally follows the Estrella River watershed to point (9).	(c)
9-10	Alluvial	Continues from point (9) and generally follows the contact between the loosely consolidated alluvial deposits and the more consolidated deposits to point (10).	(b)
10-11	Alluvial	Continues from point (10) and generally follows the Rinconada Fault to point (11).	(b)
11-12	Alluvial	Continues from point (11) and follows the contact of alluvium with Miocene marine deposits to point (12).	(b)
12-13	Fault	Continues from point (12) and generally follows the Rinconada Fault to point (13).	(b)
13-1	Alluvial	Begins from the point (13) and generally follows the contact of alluvium with Pliocene and Miocene marine deposits to point (1).	(b)
14-14	Alluvial	Begins at point (14) and follows the contact of alluvium with Pliocene marine deposits and ends at point (14).	(b)
15-15	Alluvial	Begins at point (15) and follows the contact of alluvium with Pliocene marine deposits and ends at point (15).	(b)
16-16	Alluvial	Begins at point (16) and follows the contact of alluvium with Pliocene marine deposits and ends at point (16).	(b)
17-17	Alluvial	Begins at point (17) and follows the contact of alluvium with Pliocene marine deposits and ends at point (17).	(b)
18-18	Alluvial	Begins at point (18) and follows the contact of alluvium with Pliocene and Miocene marine deposits and ends at point (18).	(b)
19-19	Alluvial	Begins at point (19) and follows the contact of alluvium with Pliocene marine deposits and ends at point (19).	(b)
20-20	Alluvial	Begins at point (20) and follows the contact of alluvium with Miocene marine or Oligocene nonmarine deposits and ends at point (20).	(b)
21-21	Alluvial	Begins at point (21) and follows the contact of alluvium with Miocene marine deposits and ends at point (21).	(b)
22-22	Alluvial	Begins at point (22) and follows the contact of alluvium with Miocene marine deposits and ends at point (22).	(b)
23-23	Alluvial	Begins at point (23) and follows the contact of alluvium with Miocene marine deposits and ends at point (23).	(b)

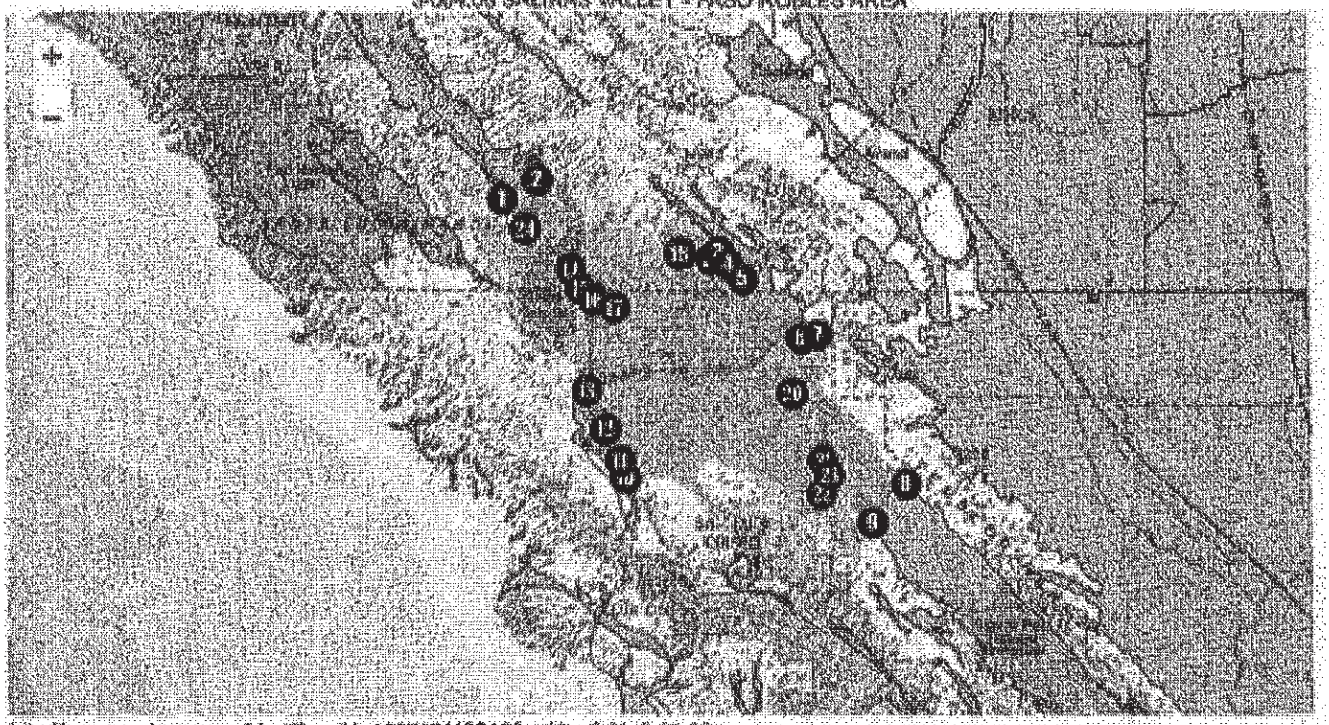
Segment Label	Segment Type	Description	Ref
24-24	Alluvial	Begins at point (24) and follows the contact of alluvium with Pliocene marine deposits and ends at point (24).	(b)

Significant Coordinates

Point	Latitude	Longitude
1	35.9417733325	-120.876231631
2	35.972576399	-120.8048068108
3	35.864277959	-120.431818034
4	35.8958650623	-120.411196551
5	35.9096876003	-120.391948552
6	35.7121571711	-120.263905818
7	35.718743156	-120.229726047
8	35.4704808658	-120.0437336774
9	35.4081800965	-120.1156468396
10	35.48148283	-120.8248258334
11	35.5106930547	-120.6343948877
12	35.5818693367	-120.8840334822
13	35.6206637392	-120.7043575554
14	35.8287213367	-120.7378683572
15	35.7943923111	-120.7195879775
16	35.7789394397	-120.6907668677
17	35.7845188093	-120.5455010363
18	35.8528656098	-120.5122226949
19	35.8451878933	-120.4483345645
20	35.8208284165	-120.2843883827
21	35.5108154457	-120.219747687
22	35.4568935207	-120.2226268508
23	35.48727229	-120.2070452501
24	35.6944140185	-120.6304111252

Map

3-004.06 SALINAS VALLEY - PASO ROBLES AREA



http://agma.water.ca.gov/bbat/?appid=1607181132125subbasinid=3-04.06

References

Ref	Citation	Pub Date	Global ID
(a)	Unknown/other/new	varies	46
(b)	California Geological Survey (CGS), Geologic Atlas of California Map No. 016, San Luis Obispo Sheet, , 1:250,000, Charles W. Jennings, URL: http://www.quake.ca.gov/gmaps/GAM/sanluisobispo/sanluisobispo.html	1958	24
(c)	United States Geological Survey (USGS), National Hydrography Dataset, Watershed Boundary Dataset for California, note: Coordinated effort among the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS), the United States Geological Survey (USGS), and the Environmental Protection Agency (EPA). URL: http://datagateway.nrcs.usda.gov	2016	49

Footnotes
1 Internal
2 External

3-004.11 SALINAS VALLEY - ATASCADERO AREA

Basin Boundaries

Summary

The Atascadero groundwater subbasin is a northwest-southeast trending part of the Salinas Valley groundwater basin located near the City of Atascadero. The subbasin is separated from the Paso Robles subbasin by the Rinconada Fault on the east and follows the boundary of the the consolidated formations of the Santa Lucia Range on the west. The basin boundary is defined by eight (8) segments detailed in the descriptions below.

Segment Descriptions

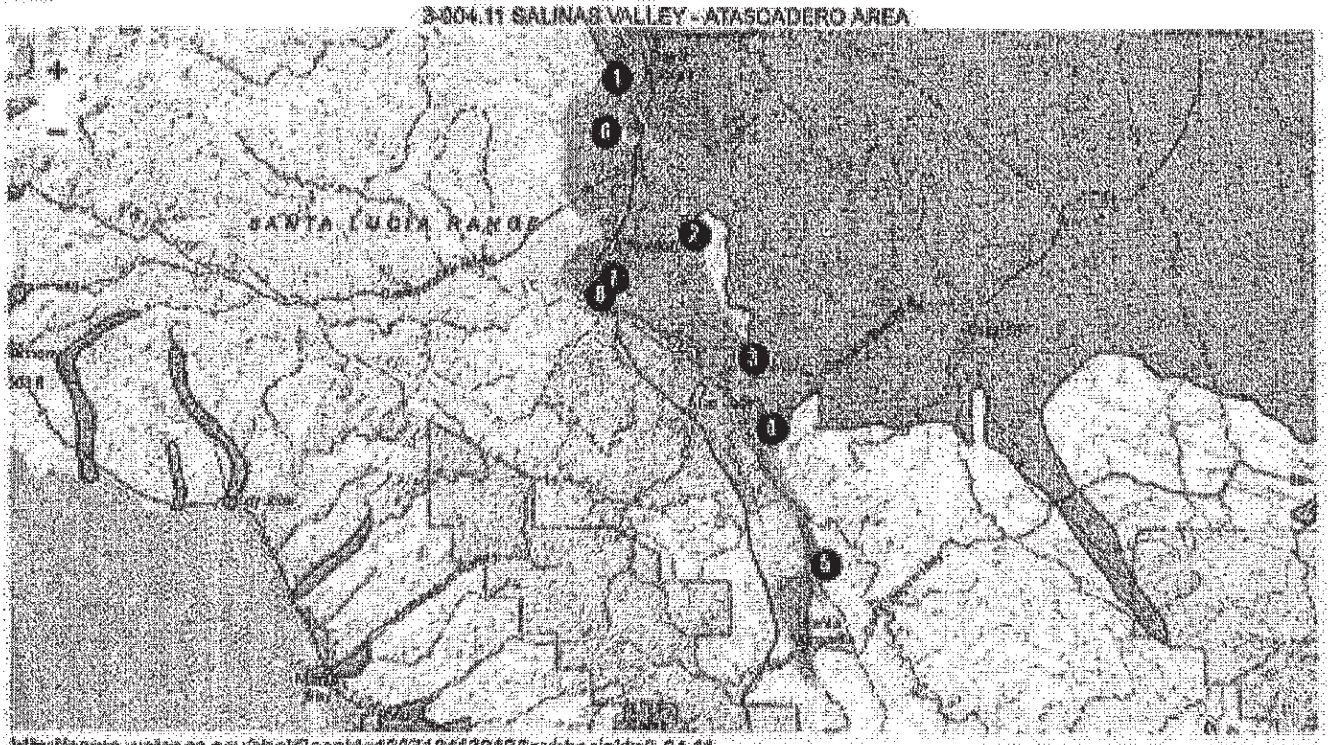
Segment Label	Segment Type	Description	Ref
1-2	Fault	Begins at point (1) and generally follows the Rinconada Fault to point (2).	(a)
2-3	Fault	Continues from point (2) and follows the Rinconada Fault to point (3).	(a)
3-4	Fault	Continues from point (3) and follows the Rinconada Fault to point (4).	(a)
4-5	Fault	Continues from point (4) and follows the Rinconada Fault to point (5).	(a)
5-1	Alluvial	Continues from point (5) and follows the boundary of Quaternary alluvial deposits with consolidated rocks of the Santa Lucia Range and ends at point (1).	(a)
6-6	Alluvial	Begins at point (6) and follows the contact of Quaternary alluvial deposits with a consolidated rock outcrop and ends at point (6).	(b)
7-7	Alluvial	Begins at point (7) and follows the contact of Quaternary alluvial deposits with a consolidated rock outcrop and ends at point (7).	(b)
8-8	Alluvial	Begins at point (8) and follows the contact of Quaternary alluvial deposits with a consolidated rock outcrop and ends at point (8).	(b)

Significant Coordinates

Point	Latitude	Longitude
1	35.626837392	-120.704367554
2	35.561883357	-120.661034822
3	35.510693547	-120.634394877
4	35.46142693	-120.624268334
5	35.425356658	-120.599028467
6	35.604654474	-120.709839397
7	35.643730791	-120.706960639
8	35.638923677	-120.712885243

Map

3-004.11 SALINAS VALLEY - ATASCADERO AREA



http://sgma.water.ca.gov/boat/?appId=1607181132126&subbasinId=3-04.11

References

Ref	Citation	Pub Date	Global ID
(a)	California Geological Survey (CGS), Geologic Atlas of California Map No. 018, San Luis Obispo Sheet, , 1:250,000, Charles W. Jennings, URL: http://www.quake.ca.gov/gmaps/GAM/sanluisobispo/sanluisobispo.html	1958	24
(b)	Unknown/Other/new	varies	46

Footnotes

1 Informal

2 Informal

EXHIBIT B

PROOF OF SERVICE

I, Isabel Grubbs, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger LLP, 300 South Grand Avenue, 25th Floor, Los Angeles, CA 90071. August 31, 2017, I served the following document(s):

STIPULATION REGARDING GROUNDWATER BASIN BOUNDARY; [PROPOSED] ORDER

☒ by posting the document(s) listed above to the Odyssey eFile CA website with e-service on all parties.

☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.

☐ by causing personal delivery by ASAP Corporate Services of the document(s) listed above to the person(s) at the address(es) set forth below.

☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 31, 2017, at Los Angeles, California.

Isabel Grubbs

13498.00039\29798047.2

EXHIBIT D

FILED
SEP 21 2018
Clerk of the Court
Superior Court of CA County of Santa Clara
BY _____ DEPUTY
Ingrid Stewart

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC, et al.

Plaintiffs,

v.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

Case No. 1-14-CV-265039 (Lead Case Consolidated with Case No. 1-14-CV-269212)

Judge: Hon. Peter H. Kirwan

SPECIAL VERDICT ON PRESCRIPTIVE RIGHT TO WATER AS TO DEFENDANT CITY OF EL PASO DE ROBLES

We the jury answer the questions submitted to us as follows:

1. Did the City of El Paso de Robles ("City") actually pump groundwater from the Paso Robles Basin?

✓ Yes _____ No

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

2. Was the City's pumping of groundwater from the Basin open and notorious?

✓ Yes _____ No

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

3. Was the City's pumping of groundwater from the Basin hostile and adverse?

✓ Yes _____ No

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

4. Was the City's pumping of groundwater from the Basin continuous and uninterrupted for a period of five (5) or more years when total pumping exceeded the safe yield?

✓ Yes _____ No

If your answer to question 4 is yes, then answer question 5. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

5. Did the City pump groundwater under a claim of right?

✓ Yes _____ No

If your answer to question 5 is yes, then answer question 6. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

6. Did Plaintiffs or their predecessors in interest knew or should have known that water pumped from the Basin exceeded the safe yield of the Basin?

✓ Yes _____ No

If your answer to question 6 is yes, then answer question 7. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

7. Please identify on the line below the specific five (5) or more year period or periods where the elements of prescription set forth above were met.

1981-1990

Stop here, and have the presiding juror sign and date this form on the signature line below.

Dated: 9/24/2018

JUROR #6

Presiding Juror

FILED
SEP 24 2018
Clerk of the Court
Superior Court of CA County of Santa Clara
BY _____ DEPUTY
Ingrid Stewart

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC, et al.

Plaintiffs,

v.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

Case No. 1-14-CV-265039 (Lead Case Consolidated with Case No. 1-14-CV-269212)

Judge: Hon. Peter H. Kirwan

SPECIAL VERDICT ON PRESCRIPTIVE RIGHT TO WATER AS TO DEFENDANT COUNTY OF SAN LUIS OBISPO

We the jury answer the questions submitted to us as follows:

1. Did the County of San Luis Obispo ("County") actually pump groundwater from the Paso Robles Basin?

✓ Yes _____ No

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

2. Was the County's pumping of groundwater from the Basin open and notorious?

✓ Yes _____ No

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

3. Was the County's pumping of groundwater from the Basin hostile and adverse?

✓ Yes _____ No

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

4. Was the County's pumping of groundwater from the Basin continuous and uninterrupted for a period of five (5) or more years when total pumping exceeded the safe yield?

✓ Yes _____ No

If your answer to question 4 is yes, then answer question 5. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

5. Did the County pump groundwater under a claim of right?

✓ Yes _____ No

If your answer to question 5 is yes, then answer question 6. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

6. Did Plaintiffs or their predecessors in interest knew or should have known that water pumped from the Basin exceeded the safe yield of the Basin?

✓ Yes _____ No

If your answer to question 6 is yes, then answer question 7. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

7. Please identify on the line below the specific five (5) or more year period or periods where the elements of prescription set forth above were met.

1981-1990

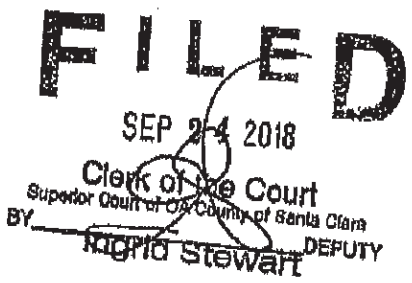
Stop here, and have the presiding juror sign and date this form on the signature line below.

Dated: 9/24/2018

Juror #6

Presiding Juror

4



SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC, et al.

Plaintiffs,

v.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

Case No. 1-14-CV-265039 (Lead Case Consolidated with Case No. 1-14-CV-269212)

Judge: Hon. Peter H. Kirwan

SPECIAL VERDICT ON PRESCRIPTIVE RIGHT TO WATER AS TO DEFENDANT SAN MIGUEL COMMUNITY SERVICES DISTRICT

We the jury answer the questions submitted to us as follows:

1. Did the San Miguel Community Services District ("San Miguel") actually pump groundwater from the Paso Robles Basin?

✓ Yes _____ No

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

2. Was San Miguel's pumping of groundwater from the Basin open and notorious?

✓ Yes _____ No

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

3. Was San Miguel's pumping of groundwater from the Basin hostile and adverse?

✓ Yes _____ No

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

4. Was San Miguel's pumping of groundwater from the Basin continuous and uninterrupted for a period of five (5) or more years when total pumping exceeded the safe yield?

✓ Yes _____ No

If your answer to question 4 is yes, then answer question 5. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

5. Did San Miguel pump groundwater under a claim of right?

✓ Yes _____ No

If your answer to question 5 is yes, then answer question 6. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

6. Did Plaintiffs or their predecessors in interest knew or should have known that water pumped from the Basin exceeded the safe yield of the Basin?

✓ Yes _____ No

If your answer to question 6 is yes, then answer question 7. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

7. Please identify on the line below the specific five (5) or more year period or periods where the elements of prescription set forth above were met.

1981-1990

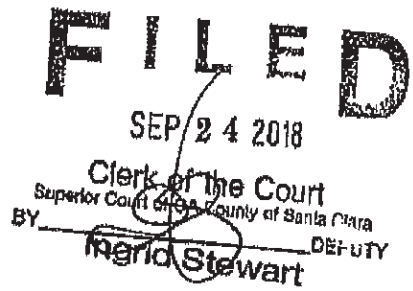
Stop here, and have the presiding juror sign and date this form on the signature line below.

Dated: 9/24/2018

JUROR #6

Presiding Juror

3



SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC, et al.

Plaintiffs,

v.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

Case No. 1-14-CV-265039 (Lead Case Consolidated with Case No. 1-14-CV-269212)

Judge: Hon. Peter H. Kirwan

SPECIAL VERDICT ON PRESCRIPTIVE RIGHT TO WATER AS TO DEFENDANT TEMPLETON COMMUNITY SERVICES DISTRICT

We the jury answer the questions submitted to us as follows:

1. Did the Templeton Community Services District ("Templeton") actually pump groundwater from the Paso Robles Basin?

✓ Yes _____ No

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

2. Was Templeton's pumping of groundwater from the Basin open and notorious?

✓ Yes _____ No

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

3. Was Templeton's pumping of groundwater from the Basin hostile and adverse?

✓ Yes _____ No

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

4. Was Templeton's pumping of groundwater from the Basin continuous and uninterrupted for a period of five (5) or more years when total pumping exceeded the safe yield?

✓ Yes _____ No

If your answer to question 4 is yes, then answer question 5. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

5. Did Templeton pump groundwater under a claim of right?

✓ Yes _____ No

If your answer to question 5 is yes, then answer question 6. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

6. Did Plaintiffs or their predecessors in interest knew or should have known that water pumped from the Basin exceeded the safe yield of the Basin?

✓ Yes _____ No

If your answer to question 6 is yes, then answer question 7. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form on the signature line.

7. Please identify on the line below the specific five (5) or more year period or periods where the elements of prescription set forth above were met.

1981 - 1990

Stop here, and have the presiding juror sign and date this form on the signature line below.

Dated: 9/24/2018

Juror #6

Presiding Juror

EXHIBIT E

ROBERT J. SAPERSTEIN (State Bar No. 166051)
JESSICA L. DIAZ (State Bar No. 302999)
BROWNSTEIN HYATT FARBER SCHRECK, LLP
1021 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101
Telephone: (805) 963-7000
Facsimile: (805) 965-4333

Rsaperstein@bhfs.com; Idiaz@bhfs.com

Attorneys for Defendant
ATASCADERO MUTUAL WATER COMPANY

(ENDORSED)
FILED
NOV 16 2018
Clerk of the Court
Superior Court of CA County of Santa Clara
BY _____ DEPUTY
G. Stewart

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC, ET AL.

Plaintiffs,

v.

COUNTY OF SAN LUIS OBISPO, ET AL.,

Defendants.

ROBERT EIDEMILLER,

Plaintiff,

v.

COUNTY OF SAN LUIS OBISPO, ET AL.,

Defendants.

Case No. 1-14-CV-265039 (Consolidated with Case No. 1-14-CV-269212)

Assigned for All Purposes to the Honorable Hon. Peter H. Kirwan

[PROPOSED] ORDER RE DEFENDANT ATASCADERO MUTUAL WATER COMPANY'S OVERLYING RIGHTS TO PERCOLATING GROUNDWATER

Complaint Filed: November 25, 2013
Phase 3 Trial date: August 27, 2018

[*Filed concurrently with Updated Offer of Proof; Declaration of John Neil; Request for Judicial Notice*]

[PROPOSED] ORDER RE DEFENDANT ATASCADERO MUTUAL WATER COMPANY'S OVERLYING RIGHTS TO PERCOLATING GROUNDWATER

The phase 3 jury trial on Defendants City of El Paso de Robles, County of San Luis Obispo, San Miguel Community Services District, and Templeton Community Services District's

BROWNSTEIN HYATT FARBER SCHRECK, LLP
1021 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101-2782

affirmative defense of prescriptive rights commenced on August 28, 2018. Prior to conclusion of that jury trial, on September 19, 2018, the Court granted AMWC's request to bifurcate the determination of its overlying rights from the Phase 3 jury trial. The Court subsequently scheduled November 16, 2018, as the date for the determination of AMWC's overlying rights.

Pursuant to the bifurcation order granted on September 19, 2018, the Court conducted a hearing regarding AMWC's overlying rights on November 16, 2018. Counsels' appearances are noted in the Court minutes. After consideration of AMWC's Updated Offer of Proof Regarding AMWC's Overlying Rights and documents and declarations filed in support thereof; AMWC's Request for Judicial Notice; based upon the briefs, evidence, and arguments presented; and for good cause shown; the Court FINDS AND ORDERS as follows:

1. AMWC's request for judicial notice is granted; and

2. Subject to any stipulation, Court determination or order that may affect the exercise of AMWC's overlying rights, AMWC exercises an overlying groundwater right on behalf of its shareholders when extracting percolating groundwater from the Paso Robles Basin, as that area has been defined for this litigation in Phase 2, for reasonable and beneficial uses within its service area located within the Paso Robles Basin watershed.

Dated: November 16, 2018

SANTA CLARA COUNTY SUPERIOR COURT

By: Peter H. Kirwan
HONORABLE PETER KIRWAN
JUDGE OF THE SUPERIOR COURT

BROWNSTEIN HYATT FARBER SCHRECK, LLP
1021 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101-2102

BROWNSTEIN HYATT FARBER SCHRECK, LLP
1021 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101-2102

PROOF OF SERVICE

I, Caitlin Malone, declare that I am a citizen of the United States and employed in Santa Barbara County, California. I am over the age of eighteen years and not a party to the above entitled action. My business address is Brownstein Hyatt Farber Schreck, LLP 1021 Anacapa Street, 2nd Floor, Santa Barbara, CA 93101. On November 19, 2018, I served a copy of the within documents:

- **NOTICE OF ENTRY OF ORDER**

Via the eFile and Serve service provided by Odyssey eFileCA to the parties associated with this action.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 19, 2018, at Santa Barbara, California.

Caitlin Malone

Caitlin Malone

EXHIBIT F

Electronically Filed
by Superior Court of CA,
County of Santa Clara,
on 6/7/2019 10:23 AM
Reviewed By: R. Walker
Case #2014-1-CV-265039
Envelope: 2980911

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC; et al.,

Plaintiffs,

vs.

COUNTY OF SAN LUIS OBISPO; et al.,

Defendants.

Case No.: 2014-1-CV-265039

Consolidated With:
2014-1-CV-269212

Phase 5

Order Re: ~~Phase 4~~ Quantification of Prescriptive Rights

The hearing on quantification of Defendants City of El Paso de Robles ("City"), County of San Luis Obispo ("County"), San Miguel Community Services District ("San Miguel"), and Templeton Community Services District's ("Templeton", collectively "Water Suppliers and Local Agencies") prescriptive groundwater rights was held on March 29, 2019 before the Honorable Judge Peter Kirwan[1]. Following the submission of evidence as well as the submission of written briefs, and oral arguments of counsel, the Court enters the following order:

[1] The quantification hearing followed the Phase 3 jury trial, which commenced on August 28, 2018 and concluded with the jury reaching a verdict on September 24, 2018, finding that the City, County, San Miguel, and Templeton have prescriptive rights to pump and use groundwater from the Paso Robles Groundwater Basin at issue in this consolidated action. The jury did not determine: (1) the amounts of the City, the County, San Miguel, and Templeton's prescriptive rights; or (2) Plaintiffs' self-help.

1. The City has perfected its prescriptive water right in the amount of 1,267.70 acre-feet per year. In any five-year period from 1983 to 1990, the City continuously pumped and used at least 1,267.70 acre-feet of groundwater on a water-year basis. Of the amounts of groundwater that the City pumped from water years 1983 to 1990, the City did not use any pumped groundwater for overlying use on property owned by the City.

2. The County has perfected its prescriptive water right in the amount of 310 acre-feet per year. During the five-year period between 1985 and 1989, the County continuously pumped and used 342 acre-feet per year on a water year basis. Of the amounts of groundwater that the County pumped between water years 1985 and 1989, the County used 32 acre-feet per year for overlying use on property owned by the County. This amount used by the County for overlying use on its property would not be considered in quantifying their prescriptive claim.

3. San Miguel has perfected its prescriptive water right in the amount of 177.03 acre-feet per year. In the five-year period between 1984 and 1988, San Miguel and/or its predecessor-in-interest continuously pumped and used 184.73 acre-feet per year on a water year basis. Of the amounts of groundwater that San Miguel and/or its predecessor-in-interest pumped between water years 1984 and 1988, San Miguel and/or its predecessor-in-interest used 7.7 acre-feet per year for overlying use on property owned by San Miguel and/or its predecessor-in-interest . Again, this amount for overlying use would not be considered in quantifying their prescriptive claim.

4. Templeton has perfected its prescriptive water right in the amount of 308.9 acre-feet per year. In the five-year period between 1986 and 1990, Templeton continuously pumped and used 309 acre-feet per year on a water-year basis. Of the 309 acre-feet per year of groundwater that Templeton continuously pumped and used between water years 1986 and 1990, Templeton used less than 0.1 acre-foot of pumped groundwater per water year on property owned by Templeton.

In quantifying the Water Suppliers and Local Agencies' prescriptive groundwater rights, the Court considered each Water Supplier and Local Agency's overlying uses from 1981 to 1990 (the "Prescriptive Period") and subtracted such exercise of their overlying water rights from the amounts of historical groundwater pumping to determine the net amounts of prescriptive rights each Water Supplier and Local Agency has perfected. While the Court considered the Water Suppliers and Local Agencies' exercise of their overlying rights during the Prescriptive Period in quantifying the prescriptive rights, this Court has not determined the parties' overlying groundwater rights and is not quantifying the parties' overlying groundwater rights by this Order.

Steinbeck Plaintiffs alleged that the Water Suppliers and Local Agencies' water system contains "leaks," but do not claim that such "leaks" or "transmission losses" are unreasonable or constitute waste. A party's prescriptive right may include reasonable conveyance loss, and no "leaks" or "transmission losses" are deducted from the Water Suppliers and Local Agencies' prescriptive amounts. (*See Tulare Irr. Dist. v. Lindsay-Strathmore Irr. Dist.* (1935) 3 Cal.2d 489, 546-547; *Erickson v. Queen Valley Ranch Co.* (1971) 222 Cal.App.3d 578, 584.)

IT IS SO ORDERED.

Dated: 6/7/19

Honorable Peter H. Kirwan
Judge of the Superior Court

EXHIBIT G

Envelope #8974373

TARA B. VOSS, CASB No. 261967
tvoss@peacockpiper.com
ANN L. PIPER, CASB No. 206823
apiper@peacockpiper.com
PEACOCK PIPER TONG + VOSS LLP
100 W. Broadway, Suite 610
Long Beach, CA 90802
Telephone: (562) 320-8880
Facsimile: (562) 735-3950

Attorneys for Prospective Intervenor,
ASELLUS – PASO ROBLES, LLC

Filed
May 17, 2022
Clerk of the Court
Superior Court of CA
County of Santa Clara
2014-1-CV-265039
By: rwalker

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC, et. al, Plaintiff, vs. COUNTY OF SAN LUIS OBISPO, et. al, Defendants.	**CASE NO. 1-14-CV-265039** **Consolidated With Case No. 1-14-CV-269212** **[~~PROPOSED~~] ORDER ADMITTING EVIDENCE AND MAKING FINDINGS CONSISTENT WITH THE JOINT STIPULATION REGARDING PLAINTIFF ASLLEUS-PASO ROBLES, LLC**
AND RELATED CROSS-ACTIONS.	

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

The Court, having considered the JOINT STIPULATION AS TO (1) ADMISSIBILITY OF EVIDENCE SUBMITTED BY PLAINTIFF ASELLUS-PASO ROBLES, LLC; AND, (2) SATISFACTION OF SELF-HELP and all oral arguments in relation thereto, and for good cause appearing:

IT IS HEREBY ORDERED that:

1. The following declarations and documents shall be admitted as evidence in the self-help phase of the trial in the above-referenced matter on behalf of Plaintiff ASELLUS – PASO ROBLES, LLC:

a. Declaration of Jason Pucheu in Lieu of Testimony for Phase 5 Trial (Self Help), including all exhibits thereto. A true and correct copy is attached hereto as **APR Exhibit 1.**

b. Declaration of Joel Kimmelshue in Lieu of Testimony for Phase 5 Trial (Self Help). A true and correct copy is attached hereto as **APR Exhibit 2.**

c. Declaration of Stasi Seay in Lieu of Testimony for Phase 5 Trial (Self Help). A true and correct copy of attached hereto as **APR Exhibit 3.**

d. County records pertaining to APN 017-251-020, Bates labeled SLO 91879-91886 and attached hereto as **APR Exhibit 4.**

e. County records pertaining to APN 017-251-024, Bates labeled SLO 92879-92882 and attached hereto as **APR Exhibit 5.**

f. County records pertaining to APN 037-311-026, Bates labeled SLO 94025-94030 and attached hereto as **APR Exhibit 6.**

g. County records pertaining to APN 037-311-027, Bates labeled SLO 94031-94044 and attached hereto as **APR Exhibit 7.**

h. County records pertaining to APN 017-251-018, Bates labeled SLO 94919-94934 and attached hereto as **APR Exhibit 8.**

2. The declarations of Jason Puchue, Joel Kimmelshue and Stasi Seay shall be treated with the same weight as live witness testimony.

3. APR Exhibits 1 through 8 shall be identified as TRIAL EXHIBIT APR-1 to -8.

4. Plaintiff Asellus-Paso Robles, LLC shall be deemed to have demonstrated self-help pumping and relieved from any further presentation of evidence during this self-help phase of the trial.

IT IS SO ORDERED.

Dated: Signed: 5/17/2022 11:25 AM, 2022

Peter H. Kirwan

HONORABLE JUDGE PETER H. KIRWAN

EXHIBIT H

Electronically Filed
by Superior Court of CA,
County of Santa Clara,
on 3/4/2024 8:54 AM
Reviewed By: R. Walker
Case #2014-1-CV-265039
Envelope: 14584451

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SANTA CLARA

* * *

STEINBECK VINEYARDS # 1, LLC, et al.,

Plaintiffs,

vs.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

ROBERT EIDEMILLER,

Plaintiff,

vs.

COUNTY OF SAN LUIS OBISPO, et al.,

Defendants.

CASE NO. 1-14-CV-265039
Consolidated with Case No. 1-14-CV-269212

FINAL STATEMENT OF DECISION

Phase 5 Trial (Self-Help)
Judge: Hon. Peter H. Kirwan
Dept.: 75 (FJCC)

I. FACTUAL AND PROCEDURAL HISTORY

A. Introduction

On November 25, 2013, Plaintiffs Steinbeck Vineyards #1, LLC, et al. (Plaintiffs), filed their initial complaint to "quiet title to the superior priority of Plaintiffs' overlying water rights as to each Parcel, and as to the quantity of any alleged superior or coequal rights, as against the claims of any Defendant." (Complaint, ¶ 13; see Second Amended Complaint, ¶ 13.) Plaintiffs' complaint named the following public agencies and/or water suppliers as defendants: Atascadero Mutual Water Company (Atascadero), the City of Paso Robles (City), County of San Luis Obispo (County), San Luis Obispo County Flood Control and Water Conservation District (District), San Miguel Community Services District (San Miguel) and Templeton Community Services District (Templeton) (collectively, Water Suppliers and Local Agencies or Defendants).[1] The complaint was amended several times to, among other things, add additional plaintiffs to this action. The Second Amended Complaint—the operative complaint—was last amended in 2017. (Stipulation as to New Plaintiff Parcels, dated April 25, 2017.)

Since the onset of this litigation, trial on bifurcated issues has been conducted in five separate phases including a jury trial on Defendants' claim of prescriptive rights to groundwater in the Paso Robles basin. Most recently, the fifth phase of trial (Phase 5 trial), was to determine whether Plaintiffs, and each of them, had established a "self-help" defense to certain Water Suppliers and Local Agencies' respective prescriptive rights found by the jury in the Phase 3 trial and quantified by the Court in the Phase 4 trial. Only Steinbeck Plaintiffs, Plaintiff Asellus-Paso Robles, LLC (Asellus or APR), and Water Suppliers and Local Agencies presented evidence in the Phase 5 trial.[2] Other

[1] References to "Defendants" or "Water Suppliers and Local Agencies" in the context of the Phase 3 (prescriptive rights) trial and the Phase 5 (self-help) trial does not include the District and Atascadero because they do not claim prescriptive rights.

[2] The Court confirmed in its order on Steinbeck Plaintiffs' Motion in Limine No. 14 that Atascadero need not provide proof of its self-help claims because the ruling on Defendants' prescriptive rights claims did not apply to Atascadero.

Plaintiffs did not appear or present evidence.[3]

The Court previously granted two motions by Zimmer & Melton to relieve them as counsel to certain Plaintiffs and ordered Zimmer & Melton to provide notice of trial to those Plaintiffs. None of Plaintiffs who are no longer represented by Zimmer & Melton appeared for trial.

The Court issued its Proposed Statement of Decision (PSOD) on January 26, 2024. The represented Plaintiffs (including Plaintiff Asellus) and Defendants filed objections to the PSOD.[4] Having considered the parties' objections, the Court now issues its Final Statement of Decision.

B. Relevant Factual and Procedural Background Leading Up to the Phase 5 Trial

In the Phase 1 trial, after the parties stipulated to Plaintiffs' ownership of parcels, the Court held that Plaintiffs "have met their burden of proof in showing their prima facie case for Quiet Title." (Order & Ruling on Phase 1 Trial, dated April 11, 2016, at p. 2.) As owners of parcels that overly the basin, the Court found that these Plaintiffs had overlying rights to the groundwater in the basin subject to the potential claims of the Defendants/Water Suppliers. The Phase 2 trial concerned Atascadero and Templeton's affirmative defense that they pump groundwater from a separate groundwater basin and therefore should not be part of the instant litigation involving the Paso Robles basin. After considering the evidence and argument, the Court denied Atascadero and Templeton's "affirmative defense that the Atascadero Area is a separate and distinct basin for purposes of this quiet title action." (Order re Phase 2 Trial, dated August 25, 2017, at p. 4.)

Following the Phase 2 trial, the Court set a trial on groundwater basin boundaries to commence on September 11, 2017, and a jury trial on prescriptive rights on January 16, 2018. (Order After Hearing on July 14, 2017, dated July 18, 2017, at p. 2.) Prior to proceeding to trial on basin boundaries, the parties stipulated that the boundary of the groundwater basin in these consolidated cases is the outermost exterior boundary line for the Paso Robles Area Subbasin and the Atascadero

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[3] As used herein, "Plaintiffs" generally refer to all Plaintiffs in this case. "Steinbeck Plaintiffs" refer to the plaintiffs represented by the law firm Zimmer & Melton.

[4] "[O]bjections to a statement of decision serve a limited purpose: 'If a statement of decision *fails to resolve* a controverted issue, the parties identify that issue in objections to the statement of decision. [Citation.]' " (*Starcevic v. Pentech Financial Services, Inc.* (2021) 66 Cal.App.5th 365, 382, emphasis added.)

Area Subbasin as identified by the California Department of Water Resources (DWR) in DWR's 2016 Bulletin 118 Interim Update 2003 (Basin). On September 5, 2017, the Court issued an order defining the Basin boundary. (Stipulation Regarding Groundwater Basin Boundary; Order, dated September 5, 2017, at p. 4.)

The Phase 3 jury trial on certain Defendants' prescriptive rights commenced on August 28, 2018, and concluded with the jury's verdict on September 24, 2018. The jury found that City, County, San Miguel, and Templeton perfected their respective prescriptive groundwater rights during the years from 1981 to 1990 (Prescriptive Period). (Special Verdicts on Prescriptive Right to Water, dated Sept. 24, 2018.)

Following the Phase 3 trial, the Court conducted the Phase 4 trial on quantification of City, County, San Miguel, and Templeton's respective prescriptive groundwater rights, and entered an Order quantifying their respective groundwater rights. (Court's Order of June 7, 2019 [re: quantification of prescriptive rights].) On January 15, 2020, the Court set trial for Phase 5 on Plaintiffs' claim of self-help pumping. (Order and Notice of Trial, dated January 15, 2020.)

C. Phase 5 Trial on Plaintiffs' Self-Help Pumping

As noted above, this Statement of Decision addresses the Court's findings following the fifth phase of trial. The Phase 5 trial regarding Plaintiffs' claims of self-help pumping was held before the Honorable Judge Peter Kirwan in a court trial on November 11 and 12, 2021; May 9, 10, and 11, 2022; and August 8 and 9, 2022, in Department 19 of the Santa Clara County Superior Court. Closing arguments took place on January 12, 2023, and February 3, 2023. Steinbeck Plaintiffs were represented by Richard Zimmer and William Zimmer of Zimmer & Melton. Plaintiff Asellus was represented by Tara B. Voss of Peacock Piper Tong + Voss LLP. Robert Saperstein of Brownstein, Hyatt, Garber and Schreck represented Atascadero. Jeffrey V. Dunn and Wendy Wang of Best Best & Krieger LLP represented the City. Elizabeth Ewens and Lauren Neuhaus of Stoel Rives LLP represented the County and the District. Barbara Brenner of White Brenner represented San Miguel. Holly Jacobson of Bartkiewicz, Kronick & Shanahan represented Templeton.

The following witnesses testified at trial: (1) Anthony Daus (expert witness); (2) Kylie

Hensley (via videotaped deposition); (3) Gina Herbst; (4) Leslie Terry; (5) Lesa Gofourth; (6) Craig Olson; (7) Catherine Wytmar; and (8) Jacob Angles. Plaintiff Asellus presented declarations in lieu of testimony from: (1) Jason Pucheu; (2) Joel Kimmelshue (expert witness); and (3) Stasi Seay.[5]

Following closing arguments of counsel as well as the submission of evidence, written briefs, and the Joint Proposed Statement of Decision (JPSOD),[6] the matter was deemed submitted on October 31, 2023.

II. PHASE 5 LEGAL ISSUES

A. Summary of the Parties' Positions

During the Phase 5 trial, Plaintiffs argued that they exercised self-help pumping during the Prescriptive Period (1981-1990) and therefore retain their priority overlying rights to the basin's groundwater. Plaintiffs claim that self-help pumping can be properly proved on a collective basis based upon proof that "overall pumping by all water producers (overlying landowners as well as appropriators) continued without reduction during periods of severe drought." Plaintiffs relied upon the *Santa Maria* case (*City of Santa Maria v. Adam* (2012) 211 Cal.App.4th 211) in arguing that self-help can be proved by individual parcel owners on a collective basis. In contrast, Defendants argued that self-help was not proved in *Santa Maria*, and Plaintiffs' interpretation of that case was misguided. Defendants argued that *Santa Maria* and other cases require that self-help must be proved on an individual parcel basis and that self-help pumping must be quantified and determined to have been reasonable during the Prescriptive Period. The gravamen of the Phase 5 trial dealt with whether the Plaintiffs could meet their burden in establishing that self-help pumping occurred during the Prescriptive Period thereby preserving their priority rights in the groundwater. Under either standard (collective v. individual), Plaintiffs argued that they had met their burden in establishing that they exercised self-help during the Prescriptive Period.

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[5] Defendants and Asellus stipulated to the admissibility of these declarations. (Joint Stipulation as to (1) Admissibility of Evidence Submitted by Plaintiff Asellus-Paso Robles, LLC; and (2) Satisfaction of Self-Help, dated May 9, 2022.)

[6] The JPSOD (including supplemental submissions) was submitted by Defendants and the represented Plaintiffs (excluding Plaintiff Asellus).

Defendants also argued that a failure to prove self-help in the manner they claim is necessary results in changing Plaintiffs' flexible correlative rights into a quantified overlying right and gives Defendants a super priority right allowing Defendants to pump groundwater before Plaintiffs. Plaintiffs argued that prescriptive rights provided Defendants only with a quantified right apportioned against the Basin to pump groundwater of equal priority to Plaintiffs' overlying rights and that Plaintiffs otherwise maintain their correlative flexible overlying pumping rights. What was legally necessary to prove self-help was not agreed to by the parties, nor determined by the Court in advance of the self-help trial. As noted above, Plaintiffs argued that they could prove self-help on a collective basis rather than each individual parcel having to prove self-help. In contrast, Defendants argued that because each Plaintiff is named individually and seeking quiet title on their individual parcels, self-help must be proved on an individual (parcel by parcel) basis.

B. Summary of Relevant Water Law Principles

In addressing some of the threshold legal issues presented in the Phase 5 trial on self-help, the Court finds that a general discussion of some basic principles of law relating to groundwater rights and self-help is appropriate.

"As a general matter, an action for adjudication of groundwater rights may be styled as a quiet title action." (*City of Santa Maria v. Adam* (2012) 211 Cal.App.4th 266, 298 (*Santa Maria I*).) The claimant landowner need only provide evidence of title to overlying land to prove an overlying right. (*Ibid.*) "After the landowner has met that burden, the burden shifts to the person claiming prescriptive rights to show the validity of that claim." (*Ibid.*) "[T]he '[a]cquisition of [that] prescriptive right in groundwater rearranges water rights priorities among water users, elevating the right of the one acquiring it above that of an appropriator to a right equivalent in priority to that of a landowner.' (*Santa Maria* [*I*], *supra*, 211 Cal.App.4th at p. 297, citing [*City of Los Angeles v. City of San Fernando* (1975) 14 Cal.3d 199,] 293.)" (*Antelope Valley Groundwater Cases* (2021) 63 Cal.App.5th 17, 40-41 (*Antelope Valley*).)

Where prescriptive rights are proven, "[l]andowners may limit [those] rights by showing that although they had not sought an injunction during the prescriptive period, they exercised self-help by

continuing to pump during that time." (*Santa Maria I, supra*, 211 Cal.App.4th at p. 298, citing *Hi–Desert County Water Dist. v. Blue Skies Country Club, Inc.* (1994) 23 Cal.App.4th 1723, 1731-1732.) "Self-help in this context requires the landowner to continue to pump nonsurplus water concurrently with the adverse users. When they do, the landowners retain their overlying rights, losing only the amount of the prescriptive taking." (*Id.* at p. 279, citing *Hi–Desert County Water Dist. v. Blue Skies Country Club, Inc., supra*, 23 Cal.App.4th at pp. 1731-1732.)

1. *Self-Help in Santa Maria*

In *Santa Maria I*, the Court of Appeal held that landowners did not need to prove the quantities of groundwater they pumped during the prescriptive period to obtain a quiet title judgment "declar[ing] their overlying rights to native groundwater prior to the rights of all appropriators less the amount to which the [defendant city and water company] are entitled pursuant to their prescriptive rights" proved at trial. (*Santa Maria I, supra*, 211 Cal.App.4th at pp. 298, 312.) The court explained:

> It is true that evidence of the quantity of a landowner's reasonable and beneficial use is necessary in many cases. But quantification is required only when it serves some practical purpose. For example, when it is alleged that the water supply is insufficient to satisfy all users the court must determine the quantity needed by those with overlying rights in order to determine whether there is any surplus available for appropriation. And it stands to reason that when there is a shortage, the court must determine how much each of the overlying owners is using in order to fairly allocate the available supply among them. But not every case requires quantification. Where there are no conflicting prescriptive rights, and sufficient safe yield to satisfy all parties, the trial court may simply declare the landowners' overlying rights to be superior to those of the appropriators.

(*Santa Maria I, supra*, 211 Cal.App.4th at pp. 298-299, citations omitted.)

Applying these principles, the court stated:

> At the time of trial in this case there was no dispute that the Basin contained enough water for all users, so the trial court had no reason to calculate quantities at that point in time. On the other hand, appellants do not have unalloyed prior rights to take Basin groundwater since Santa Maria and GSWC have perfected prescriptive rights against them. ***By engaging in self-help, appellants did not acquire new rights in the particular volume of water they pumped; they retained their overlying rights, subject only to the volume of the prescriptive taking.***

(*Santa Maria I, supra*, 211 Cal.App.4th at p. 299, emphasis added.)

Under these circumstances, *Santa Maria I* explained that only the prescriptive users' rights need be quantified, noting that the full amount of an overlying right cannot be fixed in time:

> As the Supreme Court directed, when "the total amount of water covered by all of the rights of the parties exceeds the available supply consisting of the basin's safe yield and any temporary surplus," overlying owners "should be awarded the full amount of their overlying rights, less any amounts of such rights lost by prescription, from the part of the supply shown to constitute native ground water." The full amount of the overlying right is that required for the landowners' "present and prospective" reasonable beneficial use upon the land. "As to such future or prospective reasonable beneficial uses, it is quite obvious that the quantity of water so required for such uses cannot be fixed in amount until the need for such use arises." The prescriptive right, in contrast, is based upon the volume pumped during the prescriptive period. Prescriptive rights are limited to the amount of water actually taken.

(*Santa Maria I, supra*, 211 Cal.App.4th at p. 299, citations omitted.) As the Court of Appeal reiterated in a subsequent opinion, "[s]ince overlying rights are correlative and based on reasonable beneficial use, these rights may change over time. Prescriptive rights, on the other

hand, are quantified by determining the volume of water pumped during the prescriptive period and are limited to that amount." (*City of Santa Maria v. Adam* (2016) 248 Cal.App.4th 504, 511 (*Santa Maria II*).)

i. *The Santa Maria Judgment*

As described above, *Santa Maria I* reversed the trial court's original judgment on the quiet title claims in that action, holding that landowners did not need to prove the quantities of groundwater they pumped during the prescriptive period to obtain a quiet title judgment "declar[ing] their overlying rights … prior to the rights of all appropriators less the amount to which the [defendants] are entitled pursuant to their prescriptive rights." (*Santa Maria I, supra*, 211 Cal.App.4th at pp. 298, 312.)

The "Amended Judgment Per Decision of Sixth District Appellate District" (Amended Judgment) entered on remand found that the landowner plaintiffs owned specified parcels of real property, and that their associated overlying rights "shall be adjusted by amounts lost to" the defendant city and water company by prescription. (Amended Judgment, ¶ 1.) It quantified the defendants' prescriptive rights by stating their total adverse appropriation in acre feet per year and indicated that the defendants "may only assert such rights against the [landowners] in a proportionate quantity" relative to the other overlying users in the basin. (*Id.*, ¶ 7.) The judgment did not quantify the various overlying uses or the proportionate volume of the prescriptive loss. It simply quieted title in favor of the landowners "subject to the prescriptive rights of the [defendants], as otherwise provided herein." (*Id.*, ¶ 8.) The Amended Judgment does not mention self-help or make any finding of pumping by the landowner plaintiffs during the prescriptive period.

The judgment was affirmed in *Santa Maria II*, which held that quantification of the proportionate volume of the prescriptive loss attributable to the landowners was unnecessary to quiet title. (*Santa Maria II, supra*, 248 Cal.App.4th at p. 507.)

ii. *Evidence of Self-Help in Santa Maria*

Although their holdings on this point are contested, both *Santa Maria* opinions appear to accept both that the landowner appellants had proved self-help[7] and that this was necessary for them to preserve their overlying rights.

The first opinion stated that "appellants had submitted evidence to show that they had continued to pump as much water as they needed during the prescriptive periods...." (*Santa Maria I, supra*, 211 Cal.App.4th at p. 284.) "As to appellants' claim of self-help, the trial court found that 'overall pumping by all water producers (overlying owners as well as appropriators) continued without reduction during the periods of severe drought....' Appellants had, therefore, 'retain[ed] the right to continue to take some water in the future, i.e., that amount pumped concurrently with the appropriator.' " (*Id.* at p. 298.) However, the landowners "made no attempt to show how much they had pumped during the prescriptive periods"; while the trial court concluded that it consequently could not quiet title in favor of the landowners, the Court of Appeal held that it must do so. (*Ibid.*)

In the second opinion, the Court of Appeal reiterated *Santa Maria I*'s conclusion that the landowners "had engaged in self-help, which meant that they retained their overlying rights subject to the respondents' prescriptive taking." (*Santa Maria II, supra*, 248 Cal.App.4th at p. 508.)

2. *Other Relevant Authorities Concerning Self-Help*

In their closing brief, Defendants relied heavily on statements in *City of Pasadena v. City of Alhambra* (1949) 33 Cal.2d 908 (*City of Pasadena*), which applied the doctrine of mutual prescription (see *City of Barstow v. Mojave Water Agency* (2000) 23 Cal.4th 1224, 1244; *Hi-Desert County Water Dist. v. Blue Skies Country Club, Inc., supra*, 23 Cal.App.4th at p. 1734) to hold that the trial court properly required overlying and prescriptive users, as well as other appropriators, to

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[7] Defendants' argument that no self-help was found in *Santa Maria* is understandable given the trial court's Phase V decision and judgment. But the Court of Appeal did not see it this way, as evidenced by its statement that "***[b]y engaging in self-help***, appellants did not acquire new rights in the particular volume of water they pumped; they retained their overlying rights, subject only to the volume of the prescriptive taking." (*Santa Maria I, supra*, 211 Cal.App.4th at p. 299, emphasis added.) *Santa Maria II* clearly affirmed the Court of Appeal's earlier conclusion that "Appellants and the Wineman parties ***had engaged in self-help***, which meant that they retained their overlying rights subject to respondents' prescriptive taking." (*Id.* at p. 508, emphasis added.)

limit their production "by a proportionate reduction in the amount which each party had taken throughout the statutory period" to achieve safe yield during an overdraft. (*City of Pasadena*, *supra*, 33 Cal.2d at p. 933.) While *City of Pasadena* initially recognized and discussed the concept of self-help, it is of limited relevance in a case like this one where no party contends that the doctrine of mutual prescription should be applied. (See *City of Barstow v. Mojave Water Agency*, *supra*, 23 Cal.4th at p. 1248 ["Case law simply does not support applying an equitable apportionment to water use claims unless all claimants have correlative rights; for example, when parties establish mutual prescription."].)

"Left unresolved in *Pasadena* ... was whether by continuing to pump, an overlying user in an overdrafted basin retained its original overlying rights or obtained new ones by prescription." (*Hi-Desert County Water Dist. v. Blue Skies Country Club, Inc.*, *supra*, 23 Cal.App.4th at p. 1731, italics omitted.) "In 1975 ... our Supreme Court in *City of Los Angeles v. City of San Fernando* (1975) 14 Cal.3d 199 ... finally clarified the proposition that overlying owners '*retain their rights by using them.*' " (*Ibid.*, italics original, citation omitted.)

i. *San Fernando*

In *City of Los Angeles v. City of San Fernando* (1975) 14 Cal.3d 199 (*San Fernando*), the California Supreme Court "analyzed at length the rights of various overlying, appropriative and prescriptive users in the waters circulating into and underlying the Upper Los Angeles River Area. The Supreme Court remanded to the trial court the task of adjudicating the rights to the Sylmar Basin, doing so after explaining possible facts which might be proven below." (*Hi-Desert County Water Dist. v. Blue Skies Country Club, Inc.*, *supra*, 23 Cal.App.4th at p. 1732.) The *San Fernando* court discussed the possible outcomes on remand, in relevant part, as follows:

> The record before us indicates that the parties may be able to prove the following kinds of rights in the ground waters of the Sylmar basin:
> [¶] ... [¶] 3. The private defendants may show overlying rights to native ground water for reasonable beneficial uses on their overlying land, subject to any prescriptive rights of another party.[100]

> [¶] … [¶] 5. Any of the parties may be able to show that the circumstances under which such party extracted water during a period of overdraft before commencement of the present action gave it a prescriptive right against the water rights concurrently held by a private defendant. The effect of the prescriptive right would be to give to the party acquiring it and take away from the private defendant against whom it was acquired either (1) enough water to make the ratio of the prescriptive right to the remaining rights of the private defendant as favorable to the former in time of subsequent shortage as it was throughout the prescriptive period (*City of Pasadena v. City of Alhambra, supra*, 33 Cal.2d at pp. 931-933…) or (2) the amount of the prescriptive taking, whichever is less (*Id.*, at p. 937…).[101]
>
> [¶] … [¶] If an insufficiency in the available supply is found to exist, such supply should be allocated as follows: … (2) Private defendants should be awarded the full amount of their overlying rights, less any amounts of such rights lost by prescription, from the part of the supply shown to constitute native ground water. (3) The rest of the available supply should be allocated among the holders of appropriative and prescriptive rights in accordance with the principle that 'the one first in time is the first in right' (Civ.Code, s 1414). [Citations.]

(*San Fernando*, *supra*, 14 Cal.3d at pp. 292-294, disapproved of on another ground by *City of Barstow v. Mojave Water Agency*, *supra*, 23 Cal.4th 1224.) In footnote 100, the *San Fernando* court stated:

> Overlying rights take priority over appropriative rights in that if the amounts of water devoted to overlying uses were to consume all the basin's native supply, the overlying rights would supersede any appropriative claims by any party to the basin's native ground water

except insofar as the appropriative claims ripened into prescriptive rights. Such prescriptive rights would not necessarily impair the private defendants' rights to ground water for *new* overlying uses for which the need had not yet come into existence during the prescriptive period.

(*Ibid.*, citations omitted.)

And in footnote 101, it noted:

> ... Acquisition of prescriptive ground water rights is subject to the limitations stemming from the lawful owner's self help set forth in *City of Pasadena v. City of Alhambra, supra*, 33 Cal.2d at pp. 931-933....

(*Ibid.*)

Addressing this portion of the *San Fernando* opinion, *Santa Maria I* stated:

> There is a portion of the *San Fernando* opinion in which the Supreme Court sets forth a method for allocating the native supply between overlying and prescriptive rights holders. In that part the court states: "The effect of the prescriptive right would be to give to the party acquiring it and take away from the private defendant against whom it was acquired either (1) enough water to make the ratio of the prescriptive right to the remaining rights of the private defendant as favorable to the former in time of subsequent shortage as it was throughout the prescriptive period [citation] or (2) the amount of the prescriptive taking, whichever is less." [Citation.] The first listed alternative suggests that the overlying owner retains only a proportionate share of the supply, which, if true, would require that we know how much the landowner pumped during the prescriptive period. However, as the appellate court noted in *Hi–Desert, supra,* 23 Cal.App.4th at page 1733, footnote 9, ... "after stating this equation, the [*San Fernando*] court specifically stated that the overlying owner would retain from the native groundwater all but amounts lost by

> prescription, while the rest of the available supply would be allocated among holders of appropriative and prescriptive rights. [Citation.]" Like the *Hi–Desert* court, we do not interpret this part of the *San Fernando* opinion as giving the overlying and prescriptive rights holders proportionate shares in the safe yield. As the Supreme Court has stressed, overlying owners retain their rights by pumping. (*San Fernando, supra*, at p. 293, fn. 100 ...; *Mojave, supra*, 23 Cal.4th at p. 1253 ....) The overlying right extends to the landowners' "present and prospective" reasonable beneficial use upon the land (*Mojave, supra*, at p. 1240 ...) and, therefore, that is the right, less the volume lost to prescription, preserved by self help.

(*Santa Maria I, supra*, 211 Cal.App.4th at p. 300.)

ii. *Hi-Desert County*

Following *San Fernando*, the Court of Appeal for the Fourth District discussed prescriptive rights and self-help in the course of interpreting a stipulated judgment delineating groundwater rights among a handful of water users in the Warren Valley Basin in San Bernardino County.

The stipulated judgment quantified prescriptive rights and landowner's overlying rights preserved by self-help. (*Hi-Desert County Water Dist. v. Blue Skies Country Club, Inc., supra*, 23 Cal.App.4th at pp. 1727-1728.) It provided that due to the "prescriptive circumstances" present, proven overlying rights were "limited to the extent of such maximum annual self help by production during the prescriptive period" and "all unexercised overlying rights have been lost and extinguished and no new overlying production may be commenced, so long as [the] Basin remains in a state of overdraft." (*Id.* at p. 1727.) After the trial court declared the overlying rights preserved by self-help and the prescriptive rights to be of equal priority for purposes of an assessment, the Court of Appeal held that the stipulation, which was consistent with California water law, was to the contrary: the overlying user retained priority in the quantity of water preserved by self-help pumping. The opinion

cited *San Fernando* for the proposition that "overlying users retain priority but lose amounts not pumped." (*Id.* at p. 1732.)

Ultimately, though, *High-Desert County* interpreted a stipulation, and does not bind this Court to the extent it conflicts with *Santa Maria I* or opinions of the California Supreme Court.

iii. *City of Barstow*

In *City of Barstow*, the California Supreme Court held that a trial court could not impose a physical solution on an overdrafted groundwater basin based on equitable apportionment, without considering overlying owners' legal water rights. No parties claimed prescriptive rights in that action (*City of Barstow v. Mojave Water Agency*, *supra*, 23 Cal.4th at p. 1241); however, in discussing groundwater rights generally, the Supreme Court noted that prescriptive rights "may be interrupted without resort to the legal process if the owners engage in self-help and retain their rights by continuing to pump nonsurplus waters" (*id.* at p. 1241).

3. *Antelope Valley Groundwater Cases*

Finally, a recent opinion by the Court of Appeal for the Fifth District affirmed a judgment imposing a physical solution in an overdrafted groundwater basin, based largely on a settlement entered by most of the impacted parties. (See *Antelope Valley*, *supra*, 63 Cal.App.5th 17.) Notably, *Antelope Valley* did not directly address self-help: rather, it reviewed the trial court's disposition of claims and defenses by a non-settling landowner, Charles Tapia, who argued that the subordination of his overlying right to prescriptive and other overlying users violated California water rights priorities. (*Id.* at pp. 28-29.)

After defining the boundaries of the relevant groundwater basin and determining that it was in overdraft, the trial court "quantified how much water was currently being pumped by the participating competing water rights claimants." (*Antelope Valley*, *supra*, 63 Cal.App.5th at p. 27.) It did this through a trial limited "to individualized determinations of how much water various claimants actually pumped" during certain "sample years." (*Id.* at p. 33.) After this phase of trial, the majority of the impacted parties—including public water suppliers (PWS) claiming prescriptive rights—reached a settlement. "Tapia's claim … required trial on whether the public water suppliers had

obtained prescriptive rights as against all nonsettling parties (including Tapia), and whether Tapia and any other nonsettling party had established the amounts of water they pumped for reasonable and beneficial uses for their overlying property." (*Antelope Valley, supra*, 63 Cal.App.5th at p. 34.)

> The trial court found that the physical solution properly allocated production rights to various overlying landowners and public overliers because those parties "had established (1) they possessed overlying rights to the basin's [native safe yield or NSY] by producing evidence of their ownership of overlying lands and the amounts of the basin groundwater they actually used (2) the water they had used were reasonable and beneficial uses of such water, (3) the total amounts they had historically used exceeded the total NSY, and (4) the amounts they were allocated under the Physical Solution represented a severe reduction of their historical reasonable and beneficial uses and would be applied reasonably and beneficially.

(*Antelope Valley, supra*, 63 Cal.App.5th at p. 37.) "However, the court found Tapia had not proved his groundwater use because the evidence and testimony presented by Tapia was not credible, and accordingly, 'the Court cannot make a finding as to what amount of water was used on the Tapia Parties' land for reasonable and beneficial use.' " (*Ibid.*) So Tapia's overlying rights were subordinated to those specified in the physical solution. (*Ibid.*)

The Court of Appeal affirmed, explaining that "to the extent the PWS's uses of the groundwater had ripened into a *prescriptive* interest in the available groundwater, the PWS's water use was transformed from an appropriative use into rights entitled to equivalent priority with the rights of overliers." (*Antelope Valley, supra*, 63 Cal.App.5th at p. 37, italics original, citing *Santa Maria I, supra*, 211 Cal.App.4th at p. 297.) And while Tapia's overlying rights had equal priority to other overlying users who were part of the settlement, "such 'equal right, in cases where the supply is insufficient for all, [is] to be settled by giving to each a fair and just proportion.' Thus, where (as here) the native supply is insufficient to meet the needs of all overliers, each overlier can be 'limited

to his proportionate fair share of the total amount available based upon his reasonable [present] need.' " (*Id.* at p. 46, internal citations omitted.) "The Physical Solution, by allocating the remaining available NSY to holders of priority rights who demonstrated actual and reasonable beneficial uses of their correlative interests, effectively subordinated Tapia's future exercise of his correlative rights to the *present* exercise by correlative rights holders who demonstrated their existing reasonable domestic and nondomestic uses." (*Id.* at p. 49, italics original.)

Thus, *Antelope Valley* focused on Tapia's failure to prove and quantify his *present*, reasonable beneficial use of his overlying right in the context of crafting a physical solution in an overdrafted basin—*not* on the need to prove or quantify self-help pumping during the prescriptive period.

C. Application of These Principles in the Instant Case

The opinions in *Santa Maria* remain the most important authorities concerning prescriptive rights and self-help in an action to quiet title to groundwater rights. *Santa Maria I & II* accepted that there was sufficient evidence to show that the landowner appellants there had "*continued*" to pump during the prescriptive period. However, the opinions do not address the specific evidence needed to establish that overlying users were pumping during the prescriptive period, or whether it is necessary to show that their pumping constituted reasonable, beneficial use of groundwater. They also do not address what happens if self-help pumping is *not* shown.

1. *"Collective" versus Individual Evidence of Self-Help Pumping*

The *Santa Maria* opinions only briefly discuss the evidence of self-help pumping in that case. However, the appellate court seemed to accept that the landowner appellants were *actually pumping* during the prescriptive period: "Although appellants had submitted evidence to show that ***they had continued to pump*** as much water as they needed during the prescriptive periods, appellants had not submitted evidence from which the court could calculate the quantity of water they had pumped." (*Santa Maria I, supra*, 211 Cal.App.4th at p. 284, emphasis added.)

> As to appellants' claim of self-help, the trial court found that "overall pumping by all water producers (overlying owners as well as appropriators) ***continued without reduction*** during the periods of severe

> drought ...." Appellants had, therefore, "retain[ed] the right ***to continue to take some water*** in the future, i.e., that amount pumped concurrently with the appropriator." Since appellants had made no attempt to show how much they had pumped during the prescriptive periods, the trial court concluded that it could not quiet title in appellants' overlying rights. Appellants argue that proof of the quantities they pumped during the long-ago prescriptive period was unnecessary. We agree with appellants.

(*Santa Maria I, supra*, 211 Cal.App.4th at p. 298, emphasis added.)

Importantly, the *Santa Maria* opinions do not scrutinize the evidence of "continued" self-help pumping mentioned by the trial court. The statement that "overall pumping by all water producers (overlying owners as well as appropriators) continued without reduction during the periods of severe drought" does suggest that the evidence was of "collective" pumping during the prescriptive period—but the repeated descriptions of this pumping as "continued" suggests that there was some evidence or a lack of dispute that the landowners had, in fact, been pumping *before* the prescriptive period commenced. This undermines Plaintiffs' argument that they need not show actual pumping on the properties at issue but may rely on pumping by others during the Prescriptive Period even in the absence of any pumping on their own properties.

Ultimately, the Court rejects the concept of "collective" self-help pumping in the instant case. Accepting Plaintiffs' position would mean that Plaintiffs who did pump during the Prescriptive Period are treated the same as Plaintiffs who did not. This does not make sense, and it is not consistent with *Santa Maria I*'s direction that "[w]here prescriptive rights are proven, "[l]andowners may limit [those] rights ***by showing that*** although they had not sought an injunction during the prescriptive period, ***they exercised self-help by continuing to pump*** during that time." (*Santa Maria I, supra*, 211 Cal.App.4th at p. 298, emphasis added; see also *City of Pasadena, supra*, 33 Cal.2d at p. 932 [describing self-help as when "[t]he original owners ***by their own acts***, although not by judicial assistance, thus retained or acquired a right to continue to take some water in the future"' prescriptive

rights "were limited to the extent that the original owners retained or acquired rights ***by their pumping***"], (emphasis added).)

However, this does not mean that the Court may not consider "collective" evidence and draw reasonable inferences from it. For example, if there is individual evidence of pumping before the Prescriptive Period, plus collective evidence that overall pumping continued without reduction during the Prescriptive Period, this may be enough. Still, the Court does not assume that the evidence presented in *Santa Maria* would prove sufficient in the face of a specific challenge like those raised by Defendants here. The *Santa Maria* opinions appear to have simply accepted that there was "continued" self-help pumping by the landowner appellants, without scrutinizing the specific evidence presented in that case.

Establishing self-help on an individualized basis is consistent with *Antelope Valley*, *supra*, 63 Cal.App.5th at p. 49, wherein the court upheld a judgment that subordinated the right of a landowner to exercise his overlying rights based on the landowner's failure to prove the quantity or reasonableness of groundwater pumping in relation to the water suppliers' prescriptive rights and the individually established self-help pumping of other overlying landowners. That an overlying landowner's failure to establish individualized self-help pumping results in subordination of that landowner's water rights supports the conclusion that a landowner is required to establish more than "collective" pumping to establish self-help. An overlying landowner simply cannot rely on pumping by other landowners to prove his or her own self-help pumping.

Antelope Valley is helpful in this regard, although the evidence it discussed concerned current pumping rather than pumping during the prescriptive period. There, the trial court found that the evidence presented by the non-settling landowner, Tapia, was not credible:

> Tapia asserted during the prove-up proceedings he was entitled to production rights from the native safe yield of 534.5 afy because that was the amount he averaged during the 2011 and 2012 "baseline" years for use on his overlying property. At trial, Tapia testified he grew corn and pumpkins on roughly 100 acres of his Rosamond farm during 2011 and

2012, which he irrigated with pumped water using a sprinkler system. He had used imported water (purchased from the Antelope Valley—East Kern Water Agency) prior to 2009, but thereafter installed a pump that began operating in 2009. Tapia estimated his water usage for 2011 and 2012 by extrapolation from his electrical bills from 2011 and 2012. Tapia cited to a "well test," which showed it required 581 kilowatt hours to produce one acre-foot of water from his well. He also submitted his electrical bills from Southern California Edison for the years 2011 and 2012 showing total electrical consumption for those years, from which he extrapolated he had used 517.4 acre-feet in 2011 and 551.6 acre-feet in 2012.

However, at trial, Tapia did not testify as to what portion of the water he pumped during the baseline years was used to irrigate his owned lands, and admitted that some of the water he pumped was used to irrigate adjoining land. He also admitted he did not submit records from the water meter on his well to support his claimed amounts. Instead, he relied solely on electricity billings to estimate how much water he pumped for those years, but the evidence showed the electrical meter was not a dedicated meter solely for the well, but instead was *also* measuring electricity he consumed for uses on his farm *other* than for operating the well.

The court also heard expert testimony from Robert Beeby, an agricultural engineer with expertise in "crop duties." A "crop duty" is the amount of water required to produce a particular crop under prevailing climate and other conditions (wind, temperature, soil conditions, etc.) and the requisite growing season. Beeby explained some crops, such as alfalfa, have a higher crop duty (i.e., require more water per acre farmed) than other

> crops such as carrots or onions. Beeby analyzed Tapia's claimed water use and opined it was "overstated" and "far in excess of what they can use based on the crops they reportedly grew." Beeby's opinions were based on (1) his knowledge of crop duties for the sweet corn and pumpkins that Tapia said he grew on the farmed acres, (2) his review of satellite imaging showing what portions of Tapia's farm were actually being irrigated during certain years, and (3) his review of Tapia's pesticide permit applications showing substantially less acreage was being farmed by Tapia.

(*Antelope Valley*, *supra*, 63 Cal.App.5th at pp. 34-35.)

Based on this evidence, the trial court "found Tapia had not proved his groundwater use because the evidence and testimony presented by Tapia was not credible, and accordingly, 'the Court cannot make a finding as to what amount of water was used on the Tapia Parties' land for reasonable and beneficial use. Therefore, the Tapia parties failed to establish rights to groundwater pumping based on the evidence and there is no statutory or equitable basis to give them an allocation of water under the physical solution." (*Antelope Valley*, *supra*, 63 Cal.App.5th at p. 37.)

The Court of Appeal affirmed, but emphasizing its "role on appeal is not to determine whether Tapia presented sufficient evidence that *could* have supported a contrary finding, but whether there is substantial evidence to support the trial court's finding that Tapia 'failed to prove their groundwater use.' " (*Antelope Valley*, *supra*, 63 Cal.App.5th at p. 53, italics original.)

> Here, Tapia's claimed use of an average of 534.5 afy to irrigate his farmland for the production of sweet corn and pumpkins was rebutted by numerous aspects of the evidence. Tapia estimated his water use based on his total electrical bills for the baseline period, but he admitted (and the evidence showed) that the electrical bills upon which this extrapolation was based measured electrical use for *other* applications (not merely the well), which rendered unreliable Tapia's sole metric for estimating water

> use during 2011 and 2012. Moreover, even assuming *some* portion of the electricity was measuring pumped water, Tapia admitted the well had a split in the main line that ultimately left his property and irrigated land he did not own, and he had "no idea" what part of the water pumped was used on land owned by others. There was also satellite imagery showing that (in 2012) nearly 75 percent of Tapia's farm was "fallowed" so that his claimed water use was far in excess of the level of water necessary to grow pumpkins and corn on the land actually under cultivation. Beeby also extensively testified that, based on his expertise as to the amount of water needed to cultivate pumpkins and corn, Tapia's claimed history of water consumption for farming those crops on the amount of land actually farmed was "far [in] excess of anything that did make sense."

(*Antelope Valley*, *supra*, 63 Cal.App.5th at p. 54, italics original.) The Court of Appeal concluded that "[o]n this record, there was ample basis for the trier of fact to conclude Tapia's claimed water use was not credible." (*Ibid.*)

Thus, *Antelope Valley* provides an analysis of some types of "individual" evidence of pumping that might be relied on by a landowner, and of countervailing evidence that might be offered by an opposing party. Still, in applying it to the instant case, it is important to bear in mind that since the *Antelope Valley* court was imposing a physical solution, the *quantity* of Tapia's reasonable beneficial use was very much at issue. As discussed below, that is not directly at issue in the immediate case. Consequently, the strength of the required evidence may be less.

2. *Impact of Self-Help/Quantification*

The *Santa Maria* opinions' repeated statements that self-help "preserves" overlying rights, less the volume lost to prescription, stress that self-help preserves the ***full overlying right***, regardless of the specific quantity of self-help pumping, but that right is limited by the prescriptive right. Presumably, the prescriptive and overlying rights would have equal priority during times of overdraft, consistent with the solution imposed in *Antelope Valley*. (See *Antelope Valley*, *supra*, 63 Cal.App.5th

at pp. 44-45 ["allocating part of the NSY to the [public water suppliers] does not violate … California's structure for prioritizing water rights: to the extent the PWS's uses of the groundwater had ripened into a *prescriptive* interest in the available groundwater, the PWS's water use was transformed from an appropriative use into rights entitled to equivalent priority with the rights of overliers"].)[8]

Conversely, these statements suggest that self-help pumping is required to preserve the priority of overlying rights. Again, this is consistent with *Antelope Valley*, which approved the "subordinat[ion]" of "Tapia's future exercise of his correlative rights to the *present* exercise by correlative rights holders who demonstrated their existing reasonable domestic and nondomestic uses." (*Antelope Valley, supra*, 63 Cal.App.5th at pp. 49, italics original.) Though *Antelope Valley* approved this subordination in the context of a physical solution governing an overdrafted basin and looked at current use rather than use during the prescriptive period, it supports the notion that overlying users who actually exercise their water rights may be given priority over those who do not in a time of shortage. It would thus seem that landowners who exercise self-help would have equal priority with prescriptive users during times of shortage, those who do not exercise self-help would be subordinated to the prescriptive users.

As for quantification of self-help pumping, *Santa Maria I* makes it clear that this is not required in a quiet title action:

> As to appellants' claim of self-help, the trial court found that "overall pumping by all water producers (overlying owners as well as

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[8] Statements in the other cases discussed above are not entirely consistent with this interpretation. For example, *Hi-Desert County* suggests that self-help pumping preserves only that quantity of the overlying right actually pumped, stating that "overlying users retain priority but lose amounts not pumped." (*Hi-Desert County Water Dist. v. Blue Skies Country Club, Inc.*, *supra*, 23 Cal.App.4th at p. 1732.) *San Fernando*, on the other hand, states that prescriptive rights should be limited to the quantity of water that would "make the ratio of the prescriptive right to the remaining rights of the private defendant as favorable to the former in time of subsequent shortage as it was throughout the prescriptive period," if recognizing the entire quantity of the prescriptive right would result in a ratio more favorable to the prescriptive user. (*San Fernando*, *supra*, 14 Cal.3d at pp. 292-294.) This suggests that the quantity of landowners' individual self-help pumping may limit prescriptive rights in a future shortage.

appropriators) continued without reduction during the periods of severe drought ...." Appellants had, therefore, "retain[ed] the right to continue to take some water in the future, i.e., that amount pumped concurrently with the appropriator." Since appellants had made no attempt to show how much they had pumped during the prescriptive periods, the trial court concluded that it could not quiet title in appellants' overlying rights. ***Appellants argue that proof of the quantities they pumped during the long-ago prescriptive period was unnecessary. We agree with appellants.***

(*Santa Maria I, supra*, 211 Cal.App.4th at p. 298, emphasis added.) The Court of Appeal explained:

> At the time of trial in this case there was no dispute that the Basin contained enough water for all users, so the trial court had no reason to calculate quantities at that point in time. On the other hand, appellants do not have unalloyed prior rights to take Basin groundwater since Santa Maria and GSWC have perfected prescriptive rights against them. ***By engaging in self-help, appellants did not acquire new rights in the particular volume of water they pumped; they retained their overlying rights, subject only to the volume of the prescriptive taking.*** As the Supreme Court directed, when "the total amount of water covered by all of the rights of the parties exceeds the available supply consisting of the basin's safe yield and any temporary surplus," overlying owners "should be awarded the full amount of their overlying rights, less any amounts of such rights lost by prescription, from the part of the supply shown to constitute native ground water." (*San Fernando, supra*, 14 Cal.3d at p. 294.) ***The full amount of the overlying right is that required for the landowners' "present and prospective" reasonable beneficial use upon the land.*** (*Mojave, supra*, 23 Cal.4th at p. 1240.) ***"As to such future or***

prospective reasonable beneficial uses, it is quite obvious that the quantity of water so required for such uses cannot be fixed in amount until the need for such use arises." (*Tulare*, *supra*, 3 Cal.2d at p. 525.) (*Santa Maria I*, *supra*, 211 Cal.App.4th at p. 299, emphasis added.)

While evidence of the amount of water that was pumped may bear on the weight or credibility of evidence that there was self-help pumping at all (similar to *Antelope Valley*), *Santa Maria I* holds that quantification of self-help pumping is not required in a quiet title action like this one. The Court therefore rejects Defendants' argument that quantification of Plaintiffs' use of pumped groundwater during the Prescriptive Period is necessary or required.

As the court indicated in *Santa Maria I*, "But quantification is required only when it serves some practical purpose. For example, when it is alleged that the water supply is insufficient to satisfy all users, the court must determine the quantity needed by those with overlying rights in order to determine whether there is any surplus available for appropriation. And it stands to reason that when there is a shortage, the court must determine how much each of the overlying owners is using in order to fairly allocate the available supply among them."

Some issues identified by Defendants including the quantity of water being used, the reasonableness of the water use, the method of water use and the type of crops being grown might be relevant and serve a practical purpose in a lawsuit to allocate groundwater rights. However, as the appellate court determined in *Santa Maria*, in the context of the limited quiet title actions to arrest and determine prescription claims involved in *Santa Maria* and the present case, there is no practical purpose for requiring that information.

Requiring Plaintiffs to quantify their pumping from 30 to 40 years ago achieves nothing. Such pumping has nothing to do with current owners or current uses in the Basin which would be evaluated to allocate pumping to correct or prevent overdraft. The quantity of pumping changes over time. Plaintiffs' current pumping, not pumping 30 to 40 years ago, would be the relevant information in a future action to quantify/allocate pumping rights. Defendants' prescriptive rights are fixed and quantified already as required in *Santa Maria*. *Santa Maria* specifically held that the landowners'

rights are flexible and should not be quantified unless or until an action is filed to determine all water rights, determine pumping, and make allocation of pumping rights to correct overdraft.

3. *Requirement to Show Reasonable Use*

Proof of reasonable use during the Prescriptive Period also serves no practical purpose in this litigation. Proof of reasonable use is not necessary to prove self-help. Additionally, what was reasonable use 30 to 40 years ago will be irrelevant to a future adjudication to allocate water rights. For example, flood irrigation was common practice 30 to 40 years ago. However, given advancements in irrigation technology, flood irrigation (depending on the circumstances) could be viewed as unreasonable in a future allocation 50 to 60 years later to correct overdraft.

Similar to quantification of an overlying right, pursuant to the *Santa Maria* and *Antelope Valley* cases, proof of overlying reasonable and beneficial water use is only required in a comprehensive groundwater adjudication like the *Antelope Valley* cases seeking to determine and allocate the rights of all water users to correct overdraft. Even in cases to determine and allocate pumping rights, with all water users included as parties, evaluation of overlying reasonable and beneficial water use is based on the overlying landowner's current pumping which is necessary to create a physical solution. As such, reasonable and beneficial water use during the Prescriptive Period is not relevant to self-help.

> It is true that evidence of the quantity of a landowner's reasonable and beneficial use is necessary in many cases. But quantification is required only when it serves some practical purpose. For example, when it is alleged that the water supply is insufficient to satisfy all users the court must determine the quantity needed by those with overlying rights in order to determine whether there is any surplus available for appropriation. See, e.g., *Tulare*, *supra*, 3 Cal.2d at p. 525.) And it stands to reason that when there is a shortage, the court must determine how much each of the overlying owners is using in order to fairly allocate the available supply among them.

(*Santa Maria I, supra*, 211 Cal.App.4th at p. 298.)

Thus, the court found that no determination of reasonable and beneficial use was necessary in the limited quiet title action in *Santa Maria* as there was no practical need to do so because there was no comprehensive adjudication to quantify reasonable pumping to allocate the supply to correct overdraft.

4. *Summary of Court's Findings on the Legal Issues*

As noted in detail above, the Court finds that Plaintiffs, and each of them, are required to prove that self-help pumping occurred on their individual parcels during the Prescriptive Period. The Court rejects the notion of "collective" self-help as advocated by Plaintiffs. In addition, the Court finds that quantification of self-help pumping during the Prescriptive Period is not necessary in a quiet title action such as the present one. Finally, the Court finds that it is not necessary for Plaintiffs to prove reasonable and beneficial use in the instant case as there is no practical need to do so.

III. THE PARCELS AND SELF-HELP

A. Introduction

The Court wrestled with how to simplify the Court's analysis of the voluminous evidence related to more than 650 parcels. In deciding that self-help pumping must be proved on an individual basis, the Court also recognized the tremendous burden placed upon the Plaintiffs to prove that pumping occurred on their individual parcels approximately 30 to 40 years ago. In light of the limitations of judicial resources, the Court determined that calling several hundred parcel owners to testify at trial was not feasible and indicated this would not be allowed. The Court admitted as evidence voluminous documents obtained in discovery and advised the parties the Court would give these documents the appropriate weight based upon the matters at issue. The Court also heard from several witnesses on foundational issues relating to the evidence and interpretation of the documents presented at trial. To streamline the process and simplify the analysis of the voluminous evidence, the parties discussed organizing parcels into separate categories of similar evidence with the Court.

At the May 26, 2022, Case Management Conference, the Court ordered Plaintiffs to provide a written summary itemizing each parcel that Plaintiffs contend exercised self-help pumping during the

Prescriptive Period on or before July 15, 2022. The Court required Plaintiffs to identify the specific evidence supporting their contention of self-help pumping and explain why the evidence supported a finding of self-help pumping. Further, the Court ordered Defendants to present their own list, on or before July 29, 2022, of individual parcels and to identify their contentions as to why any parcel had not met their burden of proving self-help. (*Id.* at pp. 1-5).

In compliance with the Court's Order of May 26, 2022, on July 15, 2022, Plaintiffs filed two documents entitled "Parcels Where There Is No Parcel Specific Proof of Adversity During the Prescriptive Period (STEIN Bates 017354-017541)" and "Parcels With A Residence Or A Well Or Well Equipment During The Prescriptive Period (STEIN Bates 016814-017353)." along with an Introduction identifying a category of "Parcels Outside The Basin" (collectively referred to as "Plaintiffs' July 15th Court Ordered Filing").

In compliance with the Court's Order, on July 29, 2022, Defendants filed a document entitled "Water Suppliers and Local Agencies' Response to Plaintiffs' July 15, 2022 Court-Ordered Filing, and Objection to Plaintiffs' Summaries of Exhibit 870 and Evidence Referenced Therein (Phase 5)." ("Defendants July 29th Court Ordered Filing").

The presentation of evidence at trial included evidence and argument based upon Plaintiffs' categorization of the properties and Defendants' disagreement as to parcels within those categories. This included Plaintiffs' July 15th Court Ordered Filing and Defendants July 29th Court Ordered Filing. The parties stipulated to parcels outside the Basin. However, the parties disagreed as to parcels categorized as having a residence, well or well related equipment on the property during the Prescriptive Period. In response to the 503 Plaintiff parcels falling into the residence, well, or well equipment category identified in "Plaintiffs' July 15th Court Ordered Filing", Defendants attached to their filing as Exhibit "A", a list of 372 parcels that Defendants concede have some circumstantial evidence of the presence of (1) a residence, (2) a well, or (3) well related equipment on the parcel during the Prescriptive Period. In submitting this list, Defendants did not concede that this circumstantial evidence was admissible or sufficient to prove self-help pumping or water use on the parcel during the Prescriptive Period. In addition, Defendants attached as Exhibit B "...a list of 131

parcels that Defendants contend Plaintiffs failed to provide evidence of the presence of a residence and a well or well related equipment during the Prescriptive Period…"

The closing argument briefs filed by Plaintiffs and Defendants on September 28, 2022, included evidence and argument regarding the 131 parcels which Defendants claimed should not have been included in the residence, well or well equipment category. Defendants attached to their closing brief their list of 131 disputed parcels which was filed as Exhibit B to Defendants July 29th Court Ordered Filing. Plaintiffs argued that the evidence relied upon by Defendants to exclude the 131 parcels from the category was incomplete or inaccurate. Plaintiffs attached Exhibit G to their closing brief in support of their argument that the 131 parcels should be included in the residence, well, and/or well equipment category.

Following the trial, closing briefs, and oral arguments, the Court ordered the parties to identify in the JPSOD parcels belonging to specific categories and make arguments why the evidence did or did not support a self-help finding. As referenced in this Final Statement of Decision, the parcel categories are as follows:[9]

Category 1 (parcels outside the Basin);

Category 2 (parcels within the Basin where there is no evidence of a residence, well, and/or well equipment during the Prescriptive Period);

Category 3 (parcels within the Basin where the parties do not dispute there is evidence of a residence, well, and/or well equipment prior to[10] or during

[9] These parcel categories differ somewhat from the categories identified in the Court's Order of February 8, 2023, because the parties' subsequent filings led the Court to conclude additional categories were appropriate.

[10] If there was evidence of a residence, well, and/or well equipment existing on a parcel prior to the Prescriptive Period, then the Court may infer that it remained in existence during the Prescriptive Period.

the Prescriptive Period);[11]

Category 4 (parcels within the Basin where the parties dispute there is evidence of a residence, well, and/or well equipment prior to or during the Prescriptive Period); and

Category 5 (parcels owned by unrepresented Plaintiffs/landowners).

The JPSOD submitted by the parties identified more than 600 parcels involved in this case, including 131 parcels with disputed evidence of a residence, well, and/or well equipment on the parcel and 372 parcels where such evidence was not disputed. The Court's Order of February 8, 2023, required the parties, among other things, to list all parcels involved in this litigation in categories and then specify how many parcels belonged in each category. The parties did not comply with the requirements in the Court's Order of February 8, 2023, and the Court's Order of October 3, 2023, required the parties to submit a Supplement to the JPSOD providing, among other things, with information about the exact number of parcels involved in this case as well as the number of parcels in each category.

Plaintiffs' Supplement to the Joint Proposed Statement of Decision (Plaintiffs' Supplement to the JPSOD) represented there were a total of 759 parcels involved in this case, with 42 parcels in

[11] As part of their effort to reframe the Prescriptive Period, Defendants divided this category into sub-categories—sub-category 3(a) – parcels with some evidence of a residence, well, or well-related equipment and some evidence of water use during the prescriptive period; sub-category 3(b)(i) – parcels with some evidence of a residence, well, or well-related equipment during the prescriptive period, from 1981-1986, but no evidence of water use; sub-category 3(b)(ii) – parcels with some evidence of a residence, well, or well-related equipment during the prescriptive period, from 1987-1990, but no evidence of water use; and sub-category 3(b)(iii) – parcels with some evidence of residence, well, or well-related equipment prior to the prescriptive period, but no evidence of water use. If Defendants placed a parcel in any of these sub-categories, the Court interpreted this as Defendants' agreement there was evidence of a residence, well, and/or well equipment on a parcel prior to or during the Prescriptive Period. Also, as discussed below in § III.B., the Prescriptive Period is 1981 to 1990.

Category 1, 166 parcels in Category 2, 349 parcels in Category 3, 115 parcels in Category 4, and 87 parcels in Category 5. Water Suppliers and Local Agencies' Supplement to Joint Proposed Statement of Decision (Defendants' Supplement to the JPSOD) represented there were a total of 753 parcels involved in this case, with 42 parcels in Category 1, 271 parcels in Categories 2 and 4, 359 parcels in Category 3, and 81 parcels in Category 5.[12]

Defendants' Supplemental Attachments (contained within Defendants' Supplement to the JPSOD) indicated that on further review, they moved certain parcels into different categories from where they listed them in the Attachments to the JPSOD. Subsequently, the Court ordered Defendants to complete tables provided by the Court with information about where Defendants place a particular parcel in Defendants' Supplemental Attachments, and also permitted the parties to indicate to the Court if they now wished to move a parcel into a different category or make other necessary modifications. (Court's Order of November 9, 2023, at ¶¶ 1, 3-4.) The tables provided by the Court were based off Plaintiffs' tables[13] contained in Plaintiffs' Supplement to the JPSOD. The parties were also ordered to meet and confer, and reach a consensus, if possible, about the discrepancies in the number of parcels the parties respectively believed were involved in this case and the number of parcels owned by unrepresented Plaintiffs.

The parties filed responses to the Court's Order of November 9, 2023, stating the parties' agreement that a total of 754 parcels were involved in this case and 85 of these parcels were owned by unrepresented Plaintiffs.[14] Defendants also filed the Further Information Tables, attached to

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[12] Defendants' Supplement to the JPSOD revised the categories and placed them in four Supplemental Attachments listing the parcels. Supplemental Attachments 1 and 3 appear to correspond to Categories 1 and 3, Supplemental Attachment 4 appears to correspond to Category 5, while Supplemental Attachment 2 (which Defendants labeled as dormant or unimproved parcels) appears to be a combined list corresponding to Categories 2 and 4. (See Defendants' Supplement to the JPSOD at p. 3.)

[13] The Court reformatted Plaintiffs' tables, for instance, to accommodate additional data, but did not alter Plaintiffs' parcel categorizations (e.g., the category where Plaintiffs placed a parcel).

[14] The parties indicate that "Plaintiffs initially included five duplicate parcels and Water Suppliers and Local Agencies initially included one duplicate parcel and inadvertently omitted two parcels." (Water Suppliers and Local Agencies' Response to November 9, 2023, Order re: Further

Defendants' Response to the Court's Order of November 9, 2023. The Further Information Tables contain the most recent information regarding the parties' respective positions on and placement of parcels in particular categories, and the Court considers these parcel categorizations in the Further Information Tables as controlling over prior categorizations.

The Category 1 parcels listed in Attachment 1 to this Final Statement of Decision appear there per the parties' September 28, 2022, stipulation. (See JPSOD at pp. 96, 98.) Attachments 2 to 5 to this Final Statement of Decision list the parcels belonging to Categories 2 to 5, respectively. The parcels are largely listed in these Categories based on the parties' agreement, as indicated by the Further Information Tables, that a parcel belongs in a particular category. However, if the parties did not agree on a parcel's categorization, then Defendants' categorization prevailed for placement purposes. For instance, if the parties agreed a parcel did not have evidence of a residence, well, and/or well equipment during the Prescriptive Period,[15] then that parcel went in Category 2. If the parties both agreed a parcel had evidence of a residence, well, and/or well equipment prior to or during the Prescriptive Period, then that parcel went in Category 3. If Plaintiffs asserted a parcel had evidence of a residence, well, and/or well equipment prior to or during the Prescriptive Period but Defendants assert the parcel was dormant or unimproved (e.g., no evidence of a residence, well, and/or well equipment), then this parcel went in Category 4.

After considering the parties' filings, the Court determines there are 42 parcels in Category 1, 165 parcels in Category 2, 358 parcels in Category 3, 104 parcels in Category 4, and 85 parcels in Category 5, for a combined total of 754 parcels.

B. The Prescriptive Period

Defendants attempt to reframe the Prescriptive Period as 1981 to 1986 for present purposes. In the JPSOD, Defendants claim that "[o]nly credible evidence of self-help pumping from 1981 to 1986

Information (Defendants' Response to the Court's Order of November 9, 2023) at p. 2.) The 754 parcels do not include Plaintiff Asellus's three parcels. (*Id.*)

[15] Defendants characterize certain parcels as being dormant or unimproved, which the Court interprets to mean as having no evidence of improvements such as a residence, well, and/or well-equipment.

is sufficient to interrupt Defendants' adverse pumping and establish a defense to Defendants' prescription right. Pumping only from 1987 to 1990 is insufficient, as Defendants had completed five years of [un]interrupted adverse pumping and perfected their prescriptive rights by 1987. (See, e.g., Code Civ. Proc., §§ 321, 325 subd. (b) [timeframe for establishing prescriptive rights is five years].)" (JPSOD at pp. 95-96, fn. 12; see JPSOD, Attach. 3 at p. 22.) But, the parties chose to litigate this case with 1981 to 1990 as the Prescriptive Period and the jury returned verdicts in Phase 3 on this basis. The Phase 4 quantification trial was also premised on 1981 to 1990 as the Prescriptive Period and the Court quantified Defendants' prescriptive rights based on various periods falling within 1981 to 1990 (with none of those periods being exactly 1981 to 1986). (See Court's Order of June 7, 2019 [re: quantification of prescriptive rights]; *id.* at p. 5 [defining 1981 to 1990 as the "Prescriptive Period"].)

For Phase 5, the parties agreed on a goal post by framing the Prescriptive Period as 1981 to 1990. (See Plaintiffs Steinbeck Vineyards #1, LLC, et al.'s Phase 5 (Self-Help) Trial Brief [filed Oct. 29, 2021] at pp. 2-3; Water Suppliers and Local Agencies' Trial Brief for Phase V Trial Regarding Plaintiffs' Self-Help Claim (Defendants' Phase 5 Trial Brief) [filed Oct. 29, 2021] at p. 5.) Indeed, Defendants' Phase 5 Trial Brief opens with this statement: "The only issue for this trial is each Plaintiffs' self-help defense to Water Suppliers and Local Agencies' prescriptive rights. Each Plaintiff has the burden of proof to establish (1) the amount of groundwater each Plaintiff pumped from 1981 to 1990 (the 'Prescriptive Period'); and (2) the reasonableness of the amount pumped and used. [Citations.]" (Defendants' Phase 5 Trial Brief at p. 5; see *id.* at p. 12 ["[T]he issue for this trial is the reasonableness of each Plaintiff's use for the period from 1981 to 1990."].) Defendants' post-trial briefing also expressly states: "The Prescriptive Period is from 1981 to 1990." (Water Suppliers and Local Agencies' Post-Trial Brief for the Phase 5 Trial on Plaintiffs' Claim on Self-Help Pumping [filed Sept. 28, 2022] at p. 8, fn. 2.)

Defendants affirmatively litigated this case with 1981 to 1990 as the Prescriptive Period and Plaintiffs, in reliance on this, also litigated this case with 1981 to 1990 as the Prescriptive Period. (See JPSOD, Attach. 3 at p. 51 ["For the first time in over three years of litigating the issue of self-help, Defendants argue that for purposes of proving self-help, the 'Prescriptive Period' is limited to the time

period of 1981-1986."].) Yet Defendants now seek to narrow the target period and move the goal post but offer no explanation why they did not do so earlier, or why it is appropriate, permissible, or fair to move the goal post *after* the conclusion of the Phase 5 trial. At this point, Plaintiffs have no way of admitting additional evidence in time to meet Defendants' claim—asserted after the close of evidence and for the first time in the JPSOD—that the target period should be 1981 to 1986.

Defendants move the goal post yet again in their objections, now asserting 1981 to 1985 as the target period and that evidence of pumping "*starting in* 1986 or afterwards" is insufficient to establish self-help. (Water Suppliers and Local Agencies' Objections to Proposed Statement of Decision [filed Feb. 13, 2024] at pp. 12-13, emphasis added.) Defendants previously argued that evidence of pumping *after* 1986 (e.g., starting in 1987) was insufficient to show self-help. (JPSOD at pp. 95-96, fn. 12 ["Pumping only from 1987 to 1990 is insufficient, as Defendants had completed five years of [un]interrupted adverse pumping and perfected their prescriptive rights by 1987. [Citations.]"]; see JPSOD, Attach. 3 at pp. 22-23.) The Court finds Defendants' attempts to move the goal post by reframing the established Prescriptive Period at this late stage to be untimely and unfair. Per the parties' conduct, the Prescriptive Period for purposes of Phase 5 and establishing self-help remains 1981 to 1990.

C. Category 1 Parcels

At the Court's request, the parties exchanged lists identifying parcels outside the Basin. On September 28, 2022, the parties signed a Stipulation Re: Parcels That Are Outside the Basin and Order, which the Court signed on the same date.

Prescription claims cannot factually and legally apply to Plaintiff parcels outside the Basin. Factually, the prescription jury findings were only found as to the Basin. Defendants' argument that all Plaintiffs were subject to the Phase 3 (Prescription) jury findings is unpersuasive as to those parcels that were located outside the Basin boundaries. Legally, the prescription findings were only based upon adversity against the Basin. Simply having knowledge that pumping exceeded the safe yield in a basin does not give rise to any need to protect against prescriptive rights for properties outside the basin. Importantly, the Court notes that the parties could not come to an agreement or stipulation as to

which parcels were located outside the Basin boundaries at the time of the trial on prescription. Prior to the Phase 3 trial, the parties were encouraged to meet and confer on what parcels were outside the Basin boundaries to determine what parcels did not have overlying rights. Although the trial on prescription proceeded without a Stipulation, the identity of those properties outside the Basin boundaries was deferred pending completion of the trial. Ultimately, the fact that these parcels were not identified and stipulated to prior to the prescription trial does not impose a legal burden on them that would not otherwise exist, i.e., proving self-help.

Contrary to Defendants' assertions, the jury did not decide all issues necessary to prove the prescription claims. The Special Verdict form identifies the issues decided by the jury. The jury decided that each Defendant pumped groundwater from the Paso Robles Basin, that Defendants' pumping of groundwater from the Basin was open and notorious, that Defendants' pumping of groundwater from the Basin was hostile and adverse, that Defendants' pumping of groundwater from the Basin was continuous and uninterrupted for five or more years, that Defendants' pumping of groundwater from the Basin was under a claim of right, that Plaintiffs or their predecessors in interest knew or should have known that water pumped from the Basin exceeded the safe yield of the Basin and that elements of prescription set forth above were met during the time period from 1981 to 1990. All of the jury findings relate to overdraft of the Basin.

In *Santa Maria*, as in the current case, prescription was proved as to the entire basin rather than as to each individual parcel. As the court in *Santa Maria I* and *Santa Maria II* indicated:

> In the present case, appellants have title to the overlying land and Santa Maria and GSWC have valid prescriptive rights that attach to a specified volume of Basin groundwater." (*Santa Maria I, supra*, 211 Cal.App.4th at p. 298.) "On appeal, we concluded that appellants and the Wineman parties have title to the overlying land and respondents have prescriptive rights attached to a specified amount of the *Basin* groundwater." "Respondents' prescriptive rights were perfected against the aquifer as a whole, not just against appellants' overlying rights. Therefore, the trial

court determined that the prescriptive rights must be proportionately exercised against appellants' overlying rights. (*Santa Maria II*, *supra*, 248 Cal.App.4th at pp. 508, 510-511.)

The Court finds that Defendants proved prescription against those parcels that are located within the Basin boundaries and that overly the Basin. No prescription was proved against parcels located outside of the Basin boundaries. Prescription does not factually or legally apply to parcels outside the Basin as the parcels do not overly the Basin and therefore cannot claim overlying rights. Accordingly, the Court finds that the parcels that are outside the Basin are not required to establish self-help.

The Court finds that the parcels in Attachment 1 are located outside of the Basin pursuant to the Stipulation Re Parcels That Are Located Outside of the Basin and Order, entered September 28, 2022. (See also Trial Exhibit Nos. 5333 [list of parcels outside the Basin] & 5334 [map identifying parcels outside the Basin].) The Court finds that the parcels in Attachment 1 are not required to prove self-help during the Prescriptive Period as they did not overlie the Basin and are not subject to the same prescriptive claim that applies to properties that actually overlie the Basin.

D. Category 2 Parcels

This category applies to parcels where there is no evidence of any residence, structure, well or well equipment because the parcels were either dormant, vacant, or unimproved. It is Plaintiffs' contention that since self-help pumping is an affirmative defense to the "adversity" element of prescription, there can be no finding of adversity to the Plaintiffs in this category because Defendants' pumping could not have interfered with or been adverse to a Plaintiff who was not pumping groundwater. Plaintiffs contend that since the parcels in this category show no evidence of groundwater pumping, they lack the adversity requirement of Defendants' prescriptive claims.

In contrast, it is Defendants' contention that the parcels in Category 2 remain subject to Defendants' prescriptive rights as proven in Phase 3 of trial in this matter. Defendants maintain that since Plaintiffs in this category show no evidence of groundwater pumping during the Prescriptive Period, they have failed to prove self-help for these parcels.

After considering the arguments set forth by the respective parties, the Court agrees with Defendants. Importantly, these parcels are located within the Basin boundaries and overly the Basin thus establishing overlying rights, whether used or not. The fact that these parcels have no evidence of groundwater use does not impact the rights they have as overlying parcels to the Basin groundwater. Whether exercising their rights to pump groundwater or not, the rights of these overlying owners can be adversely impacted by appropriative taking during a period of overdraft. Accordingly, the fact that these overlying owners may not have been exercising their overlying rights does not negate the element of adversity when Defendants pumped groundwater during the Prescriptive Period. Put another way, Defendants' appropriation of the groundwater during the Prescriptive Period was still adverse to the **rights** of these parcel owners. For that reason, the Court rejects Plaintiffs' argument that the element of adversity is missing as to these parcels. The Court finds that the parcels identified in Category 2 have not met their burden in establishing self-help. The parcels that are within Category 2 are listed in Attachment 2 to this Final Statement of Decision.

E. Category 3 Parcels

The parties do not dispute that the 358 parcels belonging to Category 3, listed in Attachment 3 to this Final Statement of Decision, have some evidence of a residence, well, or well-related equipment prior to or during the Prescriptive Period. (See Further Information Tables; Plaintiffs' Supplement to the JPSOD; Defendants' Supplement to the JPSOD.) In evaluating and weighing the evidence submitted, the Court recognizes and understands the challenges faced by Plaintiffs in acquiring evidence going back to the Prescriptive Period. Many of the current Plaintiffs did not own their parcel during the Prescriptive Period and had no immediate records to support groundwater pumping. This Court's factual findings are based upon a fair and equitable interpretation of the evidence which necessarily contemplates the unique challenges faced by Plaintiffs in acquiring evidence from a time frame that dates back thirty to forty years. At trial, Plaintiffs submitted voluminous records subpoenaed from Defendants dating back to the Prescriptive Period. There was also considerable testimony at trial as to how these records were kept and how they should be

interpreted. As explained below in Category 4,[16] the Court finds that such evidence permits a reasonable inference of water usage during the Prescriptive Period and is sufficient to support a self-help finding absent contrary evidence. Except for APN 015-053-029, APN 027-071-023, and APN 033-331-032, Defendants do not cite evidence in the parcel-specific summaries for the Category 3 parcels. The Court individually addresses these three parcels below.

For APN 015-053-029 (Andrea Lynn Emery, Trustee of the Andrea Lynn Emery Revocable Trust dated June 14, 1995), Defendants agree that "this Plaintiff has presented some documentary evidence of a residence, well or well-related equipment on this parcel" but that "this evidence alone, without any evidence of water use on that parcel during the Prescriptive Period, is insufficient to meet the burden of proving self-help." Defendants contend Plaintiff also "states that well was drilled in 1987 but not put into use until 1991-1992. (STE[I]N 4672.)" STEIN_004672 is Plaintiff's interrogatory response and it states "[t]his well was drilled in 1987 and never used until 1991-1992" and "when it was drilled it was vacant land." The Court finds that this evidence cited by Defendants is sufficient to rebut the reasonable inference of water usage arising from the existence of a residence, well, and/or well equipment on this parcel. Therefore, self-help is not shown for APN 015-053-029.

For APN 027-071-023 (Rosenberg Nut Farm, LLC), Defendants agree that "this Plaintiff has presented some documentary evidence of a residence, well or well-related equipment and groundwater use on this parcel" but then also cite, seemingly as contrary evidence under Defendants' "Explanation of Disagreement" section, SLO 93343 as evidencing a 1981 residence on this parcel. Such evidence is consistent with a finding that there was a residence on this parcel during the Prescriptive Period, and therefore the Court finds that self-help is shown as to this parcel.

For APN 033-331-032 (James P. Nielson and Karen M. Nielson), Defendants agree that "this

[16] In the section below for Category 4, the Court discusses reasonable inferences based on the evidence, explaining, for instance why the Court does not require direct evidence of water usage, why it is reasonable to infer water usage based on evidence of a residence, well, and/or well equipment, and why water usage more likely than not means groundwater usage. This discussion is also relevant here since Defendants contend that even if there is evidence of a residence, well, and/or well equipment, such evidence is not sufficient to show self-help. The Court incorporates that discussion herein by reference to avoid unnecessary repetition.

Plaintiff has presented some documentary evidence of a residence, well or well-related equipment on this parcel" but that "this evidence alone, without any evidence of water use on that parcel during the Prescriptive Period, is insufficient to meet the burden of proving self-help." Defendants cite SLO 93575, SLO 93577, and SLO 85437 to support their position. Defendants indicate that SLO 93575 shows a 1989 residence on this parcel and SLO 93577 shows 1988 well and/or well equipment, but such evidence supports Plaintiffs' position rather than Defendants' since it shows a residence, well, and/or well equipment on this parcel during the Prescriptive Period. SLO 85437, which Defendants indicate shows a well and/or well equipment from 2016 does not rebut Plaintiffs' evidence since it does not show that a residence, well, and/or well equipment did not exist on this parcel during the Prescriptive Period. Therefore, the Court finds that self-help is shown as to this parcel.

Accordingly, the Court finds that self-help is not shown for APN 015-053-029 but that self-help is shown as to the remaining 357 Category 3 parcels listed in Attachment 3 of this Final Statement of Decision.

F. Category 4 Parcels

1. *Plaintiffs' Evidence*

i. Overview

To prove self-help, Plaintiffs relied primarily on SLO- and STEIN- Bates stamped documents contained in Plaintiffs' Exhibit 870 (also known as Exhibit P-3082) as well as documents from its nine-part Request for Judicial Notice filed on August 8, 2022.[17] Exhibit 870 contains a compilation of documents and was admitted at trial subject to further arguments by the parties as to matters such as weight and reliability. (Trial Transcript of August 8, 2022, at pp. 69-71, 83-84.) It includes discovery documents such as Plaintiffs' own interrogatory responses and documents produced by the parties, such as Assessor's records, well reports, and Excel spreadsheets containing parcel history and attributes data. For these Category 4 parcels, Plaintiffs do not expressly rely on Exhibit G to their post-trial brief. Defendants objected to Exhibit G and so indicated in the JPSOD. (JPSOD at p. 93.)

[17] In the parcel-specific summaries, Plaintiffs cite to "2/3/23 RJN" documents, but the docket does not reflect requests for judicial notice filed on February 3, 2023. The Court proceeds on the assumption that Plaintiffs meant to refer to the August 8, 2022, Request for Judicial Notice.

The Court previously stated it would strike Exhibit G from evidence and now adopts that ruling. (Reporter's Transcript of January 12, 2023, at p. 313.)

As the parties are aware, this is a large case involving hundreds of plaintiffs and parcels. The Court's Order of February 8, 2023, was clearly an exercise of the Court's authority "to exercise reasonable control over all proceedings connected with pending litigation . . . in order to insure the orderly administration of justice. [Citation.]" (*Rutherford v. Owens-Illinois, Inc.* (1997) 16 Cal.4th 953, 967.) Among other things, the Court's Order of February 8, 2023, provided this directive to the parties: "The Joint PSOD shall include all discussions and components the parties wish to see the Court address in its final Statement of Decision—such as factual and procedural history, conclusions of law[], and findings of fact—as well as proposed rulings on any pending motions, requests, or other matters from Phase V."

Given the sheer volume of this case—in terms of plaintiffs, filings, as well as evidence—and limited judicial resources, it was not only important but necessary for the parties to consolidate their arguments, requests, citations to evidence, and the like. Defendants' position that self-help required individualized proof meant the possibility of individualized rulings on this issue. In making its findings, the Court relied on the Further Information Tables as well as arguments asserted and evidence cited in the parcel-specific summaries contained in the Attachments to the JPSOD. Plaintiffs presented these parcel-specific summaries containing Plaintiffs' evidence citations and arguments for the Court's consideration in determining self-help. Defendants had the opportunity to respond, and Plaintiffs had the opportunity to reply. It is not the Court's role to speculate on what objections a party may wish to assert[18] or evidence a party may wish to cite. If a party did not assert specific evidence, arguments, or objections, then that party did not intend for the Court to consider them.[19] (See Court's Order of February 8, 2023, at ¶ 1 ["Issues, matters, and/or evidence not

[18] Defendants did not raise specific evidentiary objections in the parcel-specific summaries for these Category 4 parcels.

[19] It is also not adequate for a party to incorporate by reference arguments made somewhere else without some indication of what that argument is and providing a pinpoint citation to where that argument may be found; otherwise, it would be speculation what that party means to incorporate by reference.

incorporated in the Joint PSOD may be deemed forfeited. Assertions unsupported by citations to specific and relevant legal authority and/or evidence may also be deemed forfeited. [Citations.]"]; see also JPSOD, Attach. 3 at pp. 5-6 ["Defendants' boilerplate language in their 'disagreement section' suggests there is insufficient evidence, inaccurate summaries, and inaccurate interpretations. These suggestions are not supported by any reference to evidence, summaries or interpretations and are inconsistent with the Court's Order."].)

ii. Plaintiffs' Discovery Documents

Plaintiffs' Exhibit 870 (also known as Exhibit P-3082) contains numerous folders and documents that Plaintiffs contend contain evidence proving self-help, including discovery documents such as Plaintiffs' own interrogatory responses and documents Plaintiffs produced in response to requests for production. As to Defendants' objection to Plaintiffs' reliance on their own interrogatory responses, the Court believes this objection was adequately asserted. For the reasons explained below, the Court sustains the objection to the interrogatory responses and does not consider them.

Interrogatory responses may be admissible against the responding party. (Code. Civ. Proc., § 2033.410 ["Any matter admitted in response to a request for admission is conclusively established against the party making the admission in the pending action, unless the court has permitted withdrawal or amendment of that admission under Section 2033.300."]; see Evid. Code, §§ 1220 ["Admission of a party" – "Evidence of a statement is not made inadmissible by the hearsay rule when offered against the declarant in an action to which he is a party in either his individual or representative capacity, regardless of whether the statement was made in his individual or representative capacity."], 1225 ["Statement of declarant whose right or title is in issue" – "When a right, title, or interest in any property or claim asserted by a party to a civil action requires a determination that a right, title, or interest exists or existed in the declarant, evidence of a statement made by the declarant during the time the party now claims the declarant was the holder of the right, title, or interest is as admissible against the party as it would be if offered against the declarant in an action involving that right, title, or interest."].)

However, Code of Civil Procedure section 2030.410 prohibits the use of interrogatory

responses by the responding party in its own favor. (*Great American Ins. Cos. v. Gordon Trucking, Inc.* (2008) 165 Cal.App.4th 445, 450 (*Great American*) ["[T]he responding party may not use its own interrogatory responses in its own favor."]; *Deyo v. Kilbourne* (1978) 84 Cal.App.3d 771, 780, fn. 3 ["Answers to interrogatories provided by party A are not admissible against party B. [Citation.]"]; see *Bayramoglu v. Nationstar Mortgage LLC* (2020) 51 Cal.App.5th 726, 740 [In the summary judgment context, "interrogatory responses . . . cannot itself serve as competent evidence to create a genuine issue of material fact. [Citations.]"].) Specifically, Code of Civil Procedure section 2030.410 provides:

> At the trial or any other hearing in the action, so far as admissible under the rules of evidence, the propounding party or any party other than the responding party may use any answer or part of an answer to an interrogatory only against the responding party. It is not ground for objection to the use of an answer to an interrogatory that the responding party is available to testify, has testified, or will testify at the trial or other hearing.

In *In re Estate of Horman* (1968) 265 Cal.App.2d 796 (*Horman*), the claimant-appellants were foreign citizens who were absent from a hearing in which the state claimed escheat. The claimant-appellants argued that "their answers to the interrogatories were admissible . . . because they were absent from the hearing and were unable to attend, and that in the interest of justice, the answers should have been admitted into evidence." (*Id.* at p. 805.) The appellate court rejected this argument, explaining that "[t]he answers to the interrogatories are no more than affidavits of interested persons. By their very nature, such statements contain self-serving facts. In the absence of statutory permission, an affidavit is not competent evidence, although made under oath, because it is hearsay. [Citations.]" (*Id.*) The *Horman* court further stated that "[t]he principal reason for not allowing the use of interrogatories on behalf of the answering party is the fact that there is no opportunity for cross-examination" and that such a "practice, if countenanced, would greatly inhibit the use of discovery procedures, thereby thwarting the purpose of the Legislature. [Citation.]" (*Id.*)

Similar to the *Horman* claimant-appellants, most of the Plaintiffs were absent from trial and some were unable to attend, so Defendants did not have the opportunity for cross-examination. (See Plaintiffs' Notice of Motion and Motion to Quash Notice to Appear at Trial [filed Aug. 1, 2022], Declaration of Justin Thomas at ¶ 8 ["Plaintiffs' counsel has heard from multiple plaintiffs informing counsel of conflicts such as taking care of special needs children."]; Order Granting Plaintiffs' Motion to Quash Defendants' Notice to Appear at Trial [filed Aug. 11, 2022].) This absence does not alter the statutory prohibition on a party's use of their interrogatory responses in their own favor and Plaintiffs' responses are not admissible against Defendants. Therefore, Plaintiffs are not permitted to use their own interrogatory responses as evidence to prove self-help.

Plaintiffs also rely on Bates-stamped "STEIN_" documents that they produced in response to requests for production, and Code of Civil Procedure section 2030.410 and *Great American*, *supra*, 165 Cal.App.4th at p. 450 prohibits a party's reliance on their own interrogatory responses but does not expressly cover documents produced in connection with a request for production. These documents were admitted at trial as part of Exhibit 870 and Defendants do not specifically object to this evidence in the corresponding parcel-specific summaries, and so the Court considers them.

iii. August 8, 2022, Request for Judicial Notice

On August 8, 2022, Plaintiffs filed a nine-part Request for Judicial Notice (Request) that purportedly includes pages and documents from the County of San Luis Obispo Department of Public Works and the Assessor's websites. The Court previously indicated it would grant the Request but would not take notice of the contents nor truthfulness of the documents contained in the Request, and the parties would be free to make arguments in this regard. The Court formalizes the tentative ruling now. The Court grants the Request but only takes notice of the existence of these documents, not the truth of factual content asserted in those documents. (*People v. Castillo* (2010) 49 Cal.4th 145, 157; *Searles Valley Minerals Operations, Inc. v. State Bd. of Equalization* (2008) 160 Cal.App.4th 514, 519; *Herrera v. Deutsche Bank National Trust Co.* (2011) 196 Cal.App.4th 1366, 1375 (*Hererra*) [Even when "courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]"].)

2. *Reasonable Inferences Based on the Evidence*

The parties dispute whether there must be direct evidence of water usage to prove self-help. In the Court's view, evidence of a residence, well, and/or well equipment existing on, or otherwise attributable to, the parcel prior to or during the Prescriptive Period constitutes circumstantial evidence sufficient to permit a reasonable inference of water usage and support a self-help finding. "[T]he fact that evidence is 'circumstantial' does not mean that it cannot be 'substantial.' Relevant circumstantial evidence is admissible in California. [Citation.] Moreover, the [fact finder] is entitled to accept persuasive circumstantial evidence even where contradicted by direct testimony. [Citations.]" (*Hasson v. Ford Motor Co.* (1977) 19 Cal.3d 530, 548, overruled on other grounds in *Soule v. General Motors Corp.* (1994) 8 Cal.4th 548, 574, 580.) "The trial court, as trier of fact, has the duty to weigh and interpret the evidence and draw reasonable inferences therefrom. [Citation.]" (*Guimei v. General Electric Co.* (2009) 172 Cal.App.4th 689, 698; *County of Kern v. Jadwin* (2011) 197 Cal.App.4th 65, 73 ["The trial court may draw reasonable inferences in making its factual determinations."].)

"[P]reponderance of the evidence is the default burden of proof for findings of fact in civil cases. [Citations.]" (*Guardianship of Saul H.* (2022) 13 Cal.5th 827, 842; Evid. Code, § 115 ["Except as otherwise provided by law, the burden of proof requires proof by a preponderance of the evidence."].) " ' "Preponderance of the evidence" is usually defined in terms of "probability of truth," for example as evidence that, " 'when weighed with that opposed to it, has more convincing force and the greater probability of truth.' [Citation.]" ' " (*Holmes v. California Victim Compensation & Government Claims Bd.* (2015) 239 Cal.App.4th 1400, 140.) Thus, the current matter before the Court deals with likelihoods and probabilities, not hard certainties. Plaintiffs are tasked with proving by a preponderance of the evidence that self-help pumping occurred on their parcels during the Prescriptive Period. Plaintiffs should not be held to an impossible standard in meeting their burden of proof. If the Court finds that Plaintiffs' evidence permits a reasonable inference, but Defendants point to no rebuttal evidence, then the reasonable inference stands. To defeat that reasonable inference, Defendants had to do more than argue it was not reasonable and

instead support their position with evidence and argument explaining why that evidence merits a contrary finding. For example, if there is a residence on the parcel prior to the Prescriptive Period as documented in the Assessor's records, then absent contrary evidence, this permits the Court to infer that it remained in existence during the Prescriptive Period. By and large, however, Defendants cite no specific evidence accompanied by substantive argument to oppose Plaintiffs' showing.

The existence of a residence permits a reasonable inference of water usage since it is virtually certain that residents will have water demands. Moreover, there was testimony that the County requires proof of a water source before issuing a residence permit (Reporter's Transcript of May 10, 2022, at p. 72 [testimony of Leslie Terry[20] that the County requires proof of water supply before a residence is approved for construction]; Reporter's Transcript of May 11, 2022, at p. 138 [testimony of Craig Olson that "the County requires proof of water before they issue a residence permit"]), and Lesa GoFourth[21] testified the Assessor assumes if there is a residence on a property, there is a water source on that property. (Reporter's Transcript of May 10, 2022, at p. 126 ["We assume that they can supply themselves with a workable toilet and a shower and water to cook."]; see Reporter's Transcript of August 9, 2022, at pp. 249-250.) Additionally, County employee Kylie Hensley, the person most knowledgeable for how the County deals with reporting water use, confirmed that her department requires verification of water supply availability before issuing a building permit. (Terry Depo RT 17:21.)

While Defendants argue that there is no evidence of the specific water source for a residence (e.g., "trucked-in water" or public water supply versus groundwater), the reasonable inference is that the water source was more likely than not groundwater given the overlying right and the prevalence of groundwater as a water source in the area. As Ms. Terry testified, "[O]ur county is pretty reliant on groundwater. . . .[M]any community systems are fed by well, but not all of them." (Reporter's

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[20] At the time she testified, Ms. Terry worked for the County as a supervising environmental health specialist. San Luis Obispo County identified her as the person most knowledgeable on subjects such as well permit applications, well completion reports, and verification of water supply. (Reporter's Transcript of May 10, 2022, at pp. 49-50, 57.)

[21] At the time she testified, Ms. GoFourth was the assistant assessor. (Reporter's Transcript of May 10, 2022, at p. 106.)

Transcript of May 10, 2022, at pp. 84-85; *id.* at p. 85 ["Community systems is a residential system. So something serving a neighborhood of homes."].) Based on this, the Court also believes it is reasonable to infer that water usage was more likely than not groundwater usage.

Similarly, the existence of a well and/or well equipment likewise permits a reasonable inference of water usage since meeting water demands is the inherent utility of a well or well equipment and it is not commonly nor reasonably expected that a well or well equipment will be found on a parcel for some purpose other than to meet water demands. The existence of a well and/or well equipment also reasonably suggests groundwater as the water source.

Plaintiffs relied on Assessor's records, which are living documents that are updated over time (Reporter's Transcript of May 11, 2022, at p. 134 [Craig Olson]) and are accurate because they are used for taxation purposes. (Reporter's Transcript of May 10, 2022, at p. 130.) Assessor's records, such as residential or miscellaneous building records,[22] will note when new additions are made to a property or cross out assets when those assets no longer have value or exist. (Reporter's Transcript of May 10, 2022, at p. 129 [testimony of Ms. GoFourth that "[w]e would make changes if we noticed things weren't there when we went out there again"]; Reporter's Transcript of August 9, 2022, at pp. 259-260 [testimony of Ms. GoFourth that "[i]f [a residence] was no longer on the property when [she] inspected" it, she "would cross it out and put the date that [she] was there and put that it was removed"]; Reporter's Transcript of May 11, 2022, at p. 134.) Property owners also have financial incentive to notify the Assessor's office when an asset no longer exists because the property valuation would change if an asset were removed, and a decreased property valuation means less taxes for the property owner to pay. (Reporter's Transcript of August 9, 2022, at p. 249.) Thus, an asset that is crossed out indicates to the Court that it is no longer on that parcel; if an asset is not crossed out, then the Court infers that asset remains in existence. Moreover, even if Assessor's records are not intended to track water usage, they can still provide insight into how a property was used and

[22] The Assessor's office is "required to locate and assess all taxable property in the County of San Luis Obispo" and that information is recorded on building records such as a residential building record. (Reporter's Transcript of May 10, 2022, at p. 92.) A "residential building record is specific for residential uses" while a miscellaneous building record documents improvements on land that is not a "living unit" such as a well, barn, shed, or garage. (*Id.* at pp. 92-93.)

constitute circumstantial evidence of water usage based on such information.

The Court also considered parcel history and if there was evidence of a residence, well, and/or well equipment on a parent parcel prior to or during the Prescriptive Period, then this evidence was attributable to, and effectively inherited by, a child parcel. This is because child parcels are created by subdividing parent parcels, making it logical to permit attribution since if there was water usage on one part of a parent parcel during the Prescriptive Period, then water usage is established for the entire parent parcel and child parcels were a part of that parent parcel. (Reporter's Transcript of May 10, 2022, at p. 99 [testimony of Ms. GoFourth that the original property before a subdivision is called a parent; a property created by a subdivision is called a child].)

For some parcels, Plaintiffs assert that evidence of a residence, well, and/or well equipment on one parcel is attributable to another parcel because they are adjacent or related in some way and therefore this is sufficient to establish self-help but fail to point to specific evidence making such attribution reasonable. The relevant inquiry is whether there is evidence, direct or circumstantial, permitting a reasonable inference of water usage *during the Prescriptive Period*. By example, evidence alone of a residence, well, or well-equipment on a parcel is not sufficient to show self-help; rather there must be some additional evidence permitting the inference that the residence, well, or well-equipment existed on the parcel during the Prescriptive Period. Otherwise, it is not reasonable to infer water usage during the Prescriptive Period. Evidence alone that parcels are adjacent or somehow related is not sufficient to permit attribution to one parcel of evidence of a residence, well, or well-equipment on an adjacent or related parcel to show self-help. There must be some additional evidence permitting attribution during the Prescriptive Period, for instance, by showing that the adjacent or related parcels were under common ownership, used or operated as one contiguous property, and this use or operation occurred during the Prescriptive Period. However, where Plaintiffs fail to point to specific evidence and explain how it permits attribution during the Prescriptive Period, the Court declines to reach such an inference based solely on the arguments of counsel and reserves the right to not do so where Plaintiffs cite to evidence but fail to provide adequate argument or explanation. (See *In re Zeth S.* (2003) 31 Cal.4th 396, 413, fn. 11 ["It is

axiomatic that the unsworn statements of counsel are not evidence. [Citations.]"].)

The Court believes it is not necessary to require direct evidence of actual residency or water use on or otherwise attributable to a particular parcel during the Prescriptive Period. Again, the Court recognizes the difficulty in procuring records and evidence of water usage from decades ago and from a time when water usage records were not required nor maintained as a matter of course. The Court also recognizes that the passage of time means that records may be lost or destroyed.

3. *Findings as to Category 4 Parcels*

The Court makes individual findings for the 104 Category 4 parcels. Those findings are set forth in Attachment 4 to this Final Statement of Decision.

G. Category 5 Parcels

The parcels listed in Category 5 represent parcels that were unrepresented during the self-help trial and did not attend, participate in, or submit evidence during the trial. As to each parcel within this category of Unrepresented Landowners, they did not appear at trial nor did they produce any evidence of self-help pumping during the Prescriptive Period. Prior to the Phase 5 trial, this Court had issued two orders relieving Zimmer & Melton as counsel to certain Plaintiffs. Those orders identify which parties Zimmer & Melton do not represent. (Order Granting Attorney's Motion to Be Relieved as Counsel, dated May 12, 2021; Order Granting Attorney's Motion to Be Relieved as Counsel, dated July 8, 2021.) In addition, circumstances such as changes in ownership, substitution of counsel and the filing of dismissals led to certain parcels being unrepresented at trial. A list of these Plaintiffs/owners and parcels is set forth in Attachment 5 to this Final Statement of Decision. As to these Plaintiffs/owners and parcels, the Court finds that they did not prove self-help pumping during the Prescriptive Period.

IV. CONCLUSION

As to the Phase 5 trial on self-help, the Court adopts its findings and conclusions as set forth above and in the following Attachments to this Final Statement of Decision. Pursuant to the Joint Stipulation as to (1) Admissibility of Evidence Submitted by Plaintiff Asellus-Paso Robles, LLC; and, (2) Satisfaction of Self Help (filed May 12, 2022) and Court's Order of May 17, 2022 (admitting

evidence and making findings consistent with the joint stipulation regarding Plaintiff Asellus-Paso Robles, LLC), the Court finds Plaintiff Asellus has demonstrated self-help.

IT IS SO ORDERED.

3/4/2024 8:43:23 AM

Dated: _____

_____
Honorable Peter H. Kirwan
Judge of the Superior Court

ATTACHMENT 1

Category 1 parcels

	APN	Plaintiff/Owner
1.	026-021-034	ELWOOD W. DYCK, JR. AND JANEY L. DYCK. TRUSTEES OF THE ELWOOD W. DYCK, JR. AND JANEY L. DYCK 2021 REVOCABLE TRUST
2.	026-021-037	STEPHANIE MONTGOMERY-PERRY
3.	026-232-006	ROY W. CRUICKSHANK AND KAREN B. CRUICKSHANK, TRUSTEES OF THE CRUICKSHANK FAMILY TRUST DATED MARCH 1, 2011
4.	026-232-008	JEFFREY STELZL AND BETTY STELZL AS TRUSTEES OF THE JEFFREY STELZL AND BETTY STELZL REVOCABLE TRUST
5.	026-233-014	JACK PERRY AND DEBRA PERRY, CO-TRUSTEES OF THE PERRY FAMILY TRUST DATED SEPTEMBER 18, 2000
6.	026-261-025	DARYL L. STINCHFIELD AND CHARLOTTE R. STINCHFIELD, TRUSTEES UNDER STINCHFIELD FAMILY TRUST DATED FEBRUARY 10, 1993
7.	026-261-026	DARYL L. STINCHFIELD AND CHARLOTTE R. STINCHFIELD, TRUSTEES UNDER STINCHFIELD FAMILY TRUST DATED FEBRUARY 10, 1993
8.	026-261-042	PATRICIA LYNN JONES, TRUSTEE OF THE PATRICIA LYNN JONES 2021 REVOCABLE TRUST
9.	026-261-043	PATRICIA LYNN JONES, TRUSTEE OF THE PATRICIA LYNN JONES 2021 REVOCABLE TRUST
10.	026-261-044	PATRICIA LYNN JONES, TRUSTEE OF THE PATRICIA LYNN JONES 2021 REVOCABLE TRUST

	APN	Plaintiff/Owner
11.	026-261-063	PATRICIA LYNN JONES, TRUSTEE OF THE PATRICIA LYNN JONES 2021 REVOCABLE TRUST
12.	026-261-064	PATRICIA LYNN JONES, TRUSTEE OF THE PATRICIA LYNN JONES 2021 REVOCABLE TRUST
13.	033-241-036	DAVID D. DAWSON[1]
14.	039-101-015	MARK SWITZER AND CINDY SWITZER
15.	039-101-031	MARK SWITZER AND CINDY SWITZER
16.	039-181-046	ROD MAJORS AND LISA MAJORS
17.	039-291-014	SCOTT C. SCOTT AND ROBIN E. SCOTT, TRUSTEES OF THE SCOTT TRUST, DATED FEBRUARY 25, 2015
18.	040-171-001	GLASCO REVOCABLE FAMILY TRUST UNDER DECLARATION OF TRUST DATED AUGUST 28, 1990
19.	040-171-008	REX M. SWAN AND KATHERINE C. SWAN, TRUSTEES OF THE REX M. SWAN AND KATHERINE C. SWAN 2001 REVOCABLE TRUST
20.	040-231-011	KOSTA RADISAVLJEVIC AND BARBARA G. RADISAVLJEVIC, TRUSTEES OF THE KOSTA RADISAVLJEVIC FAMILY TRUST DATED OCTOBER 18, 2016
21.	040-352-034	CARL L. BOYER AND KATHRYN L. BOYER, TRUSTEES OF THE CARL L. BOYER AND KATHRYN L. BOYER REVOCABLE TRUST DATED 8/14/99
22.	040-354-007	WILLIAM A. PELFREY AND GWEN R. PELFREY

[1] Defendants list the plaintiff/owner for this parcel as David D. Dawson and Beatrix M. Dawson.

	APN	Plaintiff/Owner
23.	043-121-016	JAY P. RYAN[2]
24.	043-121-017	JAY P. RYAN[3]
25.	043-141-008	GREGORY B. WIEMANN, TRUSTEE OF THE WIEMANN FAMILY TRUST, DATED OCTOBER 19, 2021[4]
26.	043-141-019	ANDREW PITONIAK AND LORI D. PITONIAK
27.	043-281-061	GREG GREWAL AND DEBBIE GREWAL, TRUSTEES OF THE GEWALL REVOCABLE TRUST DATED AUGUST 31, 1998
28.	043-281-062	GREG GREWAL AND DEBBIE GREWAL, TRUSTEES OF THE GEWALL REVOCABLE TRUST DATED AUGUST 31, 1998
29.	043-281-063	KRISTINA M. GREWAL[5]
30.	043-301-051	GARY W. MORRIS AND JANET S. MORRIS, AS TRUSTEES OF THE MORRIS CCH IRREVOCABLE TRUST DATED FEBRUARY 15, 2021 AND GARY W. MORRIS AND JANET S. MORRIS, AS TRUSTEES UNDER THE GARY W. MORRIS AND JANET S. MORRIS LIVING TRUST DATED MAY 22, 1991[6]
31.	043-323-044	BRUCE BREAULT

[2] Defendants list the plaintiff/owner for this parcel as Jay P. Ryan; Michael P. Ryan and Pamela L Ryan. Trustees of the Ryan Family Trust Under Agreement Dated August.

[3] Defendants list the plaintiff/owner for this parcel as Jay P. Ryan; Michael P. Ryan and Pamela L Ryan. Trustees of the Ryan Family Trust Under Agreement Dated August.

[4] Defendants list the plaintiff/owner for this parcel as Gregory B. Wiemann.

[5] Defendants list the plaintiff/owner for this parcel as Sandra L. Grewal, Trustee of the Grewal Family Trust Dated August 21, 1997.

[6] Defendants list the plaintiff/owner for this parcel as Gary W. Morris and Janet S. Morris, As Trustees.

	APN	Plaintiff/Owner
32.	069-012-013	GEORGE ALBERT SULLIVAN
33.	069-012-014	GEORGE ALBERT SULLIVAN
34.	069-053-005	GEORGE ALBERT SULLIVAN[7]
35.	070-071-017	GEORGE ALBERT SULLIVAN
36.	070-071-022	RICHARD G. CARRIKER AND CYNTHIA R. CARRIKER, TRUSTEES OF THE CARRIKER FAMILY TRUST DATED AUGUST 14, 1997[8]
37.	070-173-010	JOE ANDERSON AND STEPHENIE ANDERSON
38.	070-173-027	DEANNA J. NOBLE TRUSTEE OF THE DEANNA J. NOBLE LIVING TRUST DATED JAN 9 2009 AND CATHERINE M. NOBLE[9]
39.	423-161-053	CHOLAME VINEYARD, LLC, AN ALASKA LIMITED LIABILITY COMPANY
40.	423-161-054	TEDD JASON CIESIELSKI (ALSO KNOWN AS TEDD JASON GILBERT, AKA TEDDY JASON GILBERT CIESIELSKI) AND LORRAINE K. GILBERT[10]
41.	423-161-074	CHOLAME VINEYARD, LLC, AN ALASKA LIMITED LIABILITY COMPANY
42.	424-441-005	WADE R. HAYES AND SUSAN M. HAYES

[7] Defendants list the plaintiff/owner for this parcel as George A. Sullivan.

[8] Defendants list the plaintiff/owner for this parcel as Richard Carriker and Cynthia Carriker.

[9] Defendants list the plaintiff/owner for this parcel as Deanna J. Noble Trustee of the Deanna J. Noble Living Trust Dated Jan 9 2009 and Catherine M.

[10] Defendants list the plaintiff/owner for this parcel as Teddy Jason Gilbert Ciesielski, A.K.A Tedd J. Gilbert and Todd Jay Gilbert Ciesielski, A.K.A Todd J. Gilbert.

ATTACHMENT 2

Category 2 parcels

	APN	Plaintiff/Owner
1.	015-041-023[1]	RYAN W. LARSON AND EVE M. LARSON[2]
2.	015-053-039	CHRISTINE J. PETTIGREW, TRUSTEE OF THE CHRISTINE J. PETTIGREW TRUST CREATED UNDER THE PETTIGREW FAMILY TRUST & CHRISTINE J. PETTIGREW, TRUSTEE OF THE CHARLES S. PETTIGREW TRUST CREATED UNDER THE PETTIGREW FAMILY TRUST
3.	015-072-014	JACK CARGILL
4.	015-072-027	RONALD W. NUGENT AND LAURA M. GLADDEN
5.	015-092-020	ASHLEY MILLAN, ROBERT MILLAN JR. AND LINDA MILLAN[3]
6.	015-092-023	JOHN W. EADE, JR. AND SONDRA L. KEELE EADE, AS CO-TRUSTEES OF THE EADE REAL PROPERTY TRUST, DATED JANUARY 31, 2020

[1] New APN 015-043-022.

[2] Defendants list the plaintiff/owner for this parcel as Gabriel Canaday and Lacy Canaday and note: "Plaintiffs' counsel has represented that RYAN W. LARSON AND EVE M. LARSON purchased this property during the pendency of the litigation. The prior owners, Gabriel Canaday And Lacy Canaday, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[3] Defendants list the plaintiff/owner for this parcel as Robert R. Tate and Nancy C. Tate and note: "Plaintiffs' counsel has represented that ASHLEY MILLAN, ROBERT MILLAN JR. AND LINDA MILLAN purchased this property during the pendency of the litigation. The prior owners, Robert R. Tate And Nancy C. Tate, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner
7.	015-093-053	JOHN LLOYD WILSON AND TONYA WILSON, TRUSTEES OF THE WILSON FAMILY LIVING TRUST, U/D/T DATED AUGUST 28 2014
8.	015-112-044	DAVID N. HAGGMARK, JR. AND JENNELLE L. HAGGMARK
9.	015-112-045	DAVID N. HAGGMARK, JR. AND JENNELLE L. HAGGMARK[4]
10.	015-132-010	ANTHONY L. PRATT AND BRENDA J. BAKER[5]
11.	015-132-012	KAREN TYLER, SUCCESSOR TRUSTEE OF THE NORMA A. TYLER TRUST U/D/T FEBRUARY 23, 1988 AND RESTATED JUNE 17, 1994
12.	015-132-013	KAREN TYLER, SUCCESSOR TRUSTEE OF THE NORMA A. TYLER TRUST U/D/T FEBRUARY 23, 1988 AND RESTATED JUNE 17, 1994
13.	015-132-022	RENE S. CEDILLO AND MARIA E. CEDILLO, TRUSTEES OF THE CEDILLO FAMILY TRUST, DATED JANUARY 10, 2000, OR ANY SUCCESSOR TRUSTEE THEREUNDER
14.	015-132-023	DAVID INGERMANSON AND MARGARITA INGERMANSON

[4] Defendants list the plaintiff/owner for this parcel as Sergio Mora Neri and Leticia Mara Vilchis Mora and note: "Plaintiffs' counsel has represented that LAURA R. ERVINE purchased this property during the pendency of the litigation. The prior owners, Sergio Mora Neri And Leticia Mara Vilchis Mora, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action. At no time did Plaintiffs allege that this parcel was owned by DAVID N. HAGGMARK, JR. AND JENNELLE L. HAGGMARK."

[5] Defendants list the plaintiff/owner for this parcel as Anthony L. Pratt And Brenda J. Baker, Trustees Of The Pratt-Baker Family Revocable Trust, U/D/T September 27, 2013.

	APN	Plaintiff/Owner
15.	015-132-026	CARMEN ROSE AND HALLEN FREITAS, TRUSTEES OF THE CARMEN ROSE AND HALLEN FREITAS REVOCABLE TRUST DATED JANUARY 16, 2020[6]
16.	015-132-027	LOREN D. CROSON AND CAROL ANN CROSON
17.	015-132-039	RYAN M. BURR AND PATRICIA L. BURR[7]
18.	015-132-043	TOMPALL T. CROMER AND FELISHIA R. PERRY
19.	015-132-045	JUDSON D. BOWMAN
20.	015-133-005	FREDERICK S. KULLGREN AND KATHRYN L KULLGREN
21.	015-133-019	MICHAEL A. STEVENS AND MICAH ALIDA STEVENS FOX[8]
22.	015-133-023	WILLIAM DOYLE MITCHELL AND PAMELA G. MITCHELL, TRUSTEES OF THE WILLIAM DOYLE MITCHELL AND PAMELA G. MITCHELL 2014 REVOCABLE TRUST

[6] Defendants list the plaintiff/owner for this parcel as Carmen Rose.

[7] Defendants list the plaintiff/owner for this parcel as David Kenyon And Carol L Kenyon, Trustees Of The Kenyon Family Trust Dated December 13, 2008, Or Any Successor Trustee Thereunder and note: "Plaintiffs' counsel has represented that RYAN M. BURR AND PATRICIA L. BURR purchased this property during the pendency of the litigation. The prior owners, David Kenyon And Carol L Kenyon, Trustees Of The Kenyon Family Trust Dated December 13, 2008, Or Any Successor Trustee Thereunder, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[8] Defendants list the plaintiff/owner for this parcel as Michael A. Stevens.

	APN	Plaintiff/Owner
23.	015-133-058	PAUL E. SENITA AND TRACY C. SENITA, TRUSTEES OF THE PAUL E. SENITA AND TRACY C. SENITA REVOCABLE LIVING TRUST DATED DECEMBER 21, 2020[9]
24.	015-133-074	LARRY SMITH AND CATHY SMITH
25.	015-142-005	HELEN MARGARET KIRBY
26.	015-142-037	JOHN R. SCHMITT AND JOAN C. SCHMITT, TRUSTEES OF THE JOHN R. SCHMITT AND JOAN C. SCHMITT REVOCABLE LIVING TRUST, DATED MAY 11, 2021[10]
27.	015-142-038	PATRICK M. KEATING AND JUDITH A. KEATING
28.	015-143-001	DAVID PINA AND SHIRLEY PINA[11]
29.	015-143-013	GINA LAUREN JOHNSON AND BRIAN DONALD JOHNSON
30.	015-143-019	DEBORAH STILSON; TRUSTEE OF THE STILSON FAMILY TRUST DATED JULY 6, 2016[12]

[9] Defendants list the plaintiff/owner for this parcel as Paul Edward Senita And Tracy C. Senita.

[10] Defendants list the plaintiff/owner for this parcel as John R. Schmitt And Joan C. Schmitt.

[11] Defendants list the plaintiff/owner for this parcel as Karl H. Hogan And Margaret J. Hogan, Trustees Of The Hogan Family Trust, Under Declaration Of Trust Dated July 30, 1999 and note: "Plaintiffs' counsel has represented that DAVID PINA AND SHIRLEY PINA purchased this property during the pendency of the litigation. The prior owners, Karl H. Hogan And Margaret J. Hogan, Trustees Of The Hogan Family Trust, Under Declaration Of Trust Dated July 30, 1999, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[12] Defendants list the plaintiff/owner for this parcel as Reddy V. Reddy and note: "Plaintiffs' counsel has represented that DEBORAH STILSON; TRUSTEE OF THE STILSON FAMILY TRUST DATED JULY 6, 2016 purchased this property during the pendency of the

	APN	Plaintiff/Owner
31.	015-143-023	JOSEPH A. HALL AND CONNIE J. HALL
32.	015-143-026	MATTHEW ROBERT BOON AND TERESA LYNN HILL, OR THEIR SUCCESSORS IN INTEREST, AS TRUSTEES OF THE MATTHEW BOON AND TERESA HILL REVOCABLE LIVING TRUST, DATED FEBRUARY 24, 2022, AND ANY AMENDMENTS THERETO[13]
33.	015-143-032	KEVIN S. MCCAMY AND ANGELA D. MCCAMY
34.	015-143-040	EDMOND T. MARTINSON AND CARY LOU MARTINSON, TRUSTEES OF THE MARTINSON FAMILY TRUST DATED AUGUST 28, 2012
35.	015-143-046	DAVID K. PRICHARD AND NANCY A. PRICHARD, THE TRUSTEES OF THE DAVID K. PRICHARD AND NANCY A. PRICHARD LIVING REVOCABLE AGREEMENT DATED NOVEMBER 18, 2005
36.	015-143-048	CATHY CRENSHAW AND JOSH LASSLETT
37.	015-144-012	CHRISTOPHER W. SHINE AND TARA N. SHINE
38.	015-144-037	NICHOLAS J D'ANTONIO AND MICHELLE R D'ANTONIO, TRUSTEES OF THE D'ANTONIO FAMILY LIVING TRUST DATED 11/8/2004
39.	015-151-037	KENNETH D. BURCHELL AND BARBARA L. BURCHELL, TRUSTEES, OF THEIR SUCCESSORS IN TRUST, UNDER THE BURCHELL FAMILY TRUST, DATED JAN 29 1999
40.	015-171-013	DEREK JUSTIN PROFFITT AND MINDY PROFFITT

litigation. The prior owner, Reddy V. Reddy, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

[13] Defendants list the plaintiff/owner for this parcel as Matthew R. Boon And Teresa L. Hill.

	APN	Plaintiff/Owner
41.	015-171-028	GEORGE H. MAY AND LINDA M. MAY, AS TRUSTEES OF THE GEORGE H. & LINDA M, MAY 2009 REVOCABLE TRUST, UNDER DECLARATION OF TRUST DATED 4-21-2009
42.	015-171-038	LEON V. PRESTON, JR. AND CAROL L. PRESTON
43.	015-171-044	PROVIDENT TRUST GROUP LLC FBO TERRY L. MARAK IRA
44.	015-171-045	MITCHELL W. TORP AND ELIZABETH A. TORP, TRUSTEES OF THE TORP FAMILY TRUST DATED APRIL 28, 2008
45.	015-171-053	RON BALDAL AND KELLY MAGNUSON-BALDAL
46.	015-171-062[14]	PETER C. VITALE AND MAE H. VITALE, TRUSTEES OF THE VITALE FAMILY TRUST DATED MAY 24, 2011
47.	015-211-012	SEAN A. ENGLER AND LAUREN M. ENGLER
48.	015-221-044	JOSEPH P. LEONARD AND PATRICIA A. LEONARD, TRUSTEES OF THE "LEONARD FAMILY LIVING TRUST," DATED OCTOBER 31, 2012.
49.	015-221-064	JAMES E. GRAHAM AND FRANCINE R. GRAHAM
50.	015-231-006	ANTHONY J. ANDRADE, TRUSTEE OF THE ANTHONY J. ANDRADE TRUST, ORIGINALLY DATED SEPTEMBER 13, 2001[15]

[14] New APN 015-171-009.

[15] Defendants list the plaintiff/owner for this parcel as Anthony J. Andrade And Carolyn E. Andrade.

	APN	Plaintiff/Owner
51.	015-231-007	ANTHONY J. ANDRADE, TRUSTEE OF THE ANTHONY J. ANDRADE TRUST, ORIGINALLY DATED SEPTEMBER 13, 2001[16]
52.	015-233-010	TERRI MICHAEL WINN AND WADE DONALD SANTOS, TRUSTEES OF THE TERRI MICHAEL WINN AND WADE DONALD SANTOS LIVING TRUST[17]
53.	015-233-012	ROGER A. LEGREID AND MARY M. LEGREID
54.	015-242-009	CHRISTOPHER GEARY
55.	015-242-024	JANE ADORA MORGAN AND LOUIS DAVID MORGAN, JR.
56.	015-242-028	FREDERICK MEDINA, MILDRED A. MEDINA, ANTHONY J. MEDINA AND PATRICIA L BARTLETT
57.	015-242-032	BRYAN C. MYLAR AND LISA A. MYLAR
58.	015-242-035	BRYAN C. MYLAR AND LISA A. MYLAR
59.	015-242-041	TERRY RALEY AND TERESA MARIE RALEY, TRUSTEES RALEY FAMILY 2009 REVOCABLE TRUST, DATED 9-16, 2009
60.	015-242-048	LEONARD S. MENDOZA AND LINDA S. GREEN, TRUSTEES OF THE LEONARD S. MENDOZA AND LINDA S. GREEN REVOCABLE LIVING TRUST DATED 6/13/11
61.	015-242-050	MICHAEL K. GARBEROGLIO AND INGE MEINZER

[16] Defendants list the plaintiff/owner for this parcel as Anthony J. Andrade And Carolyn E. Andrade.

[17] Defendants list the plaintiff/owner for this parcel as Terri Winn And Wade Santos.

	APN	Plaintiff/Owner
62.	015-242-053	DONALD JOSEPH SARABIA SR. AND ANGELINA MARIE SARABIA[18]
63.	015-242-054	CALEB EUGENE COLE AND HOLLY ANN COLE
64.	015-242-055	ALLEN DUCKWORTH AND PENELOPE DUCKWORTH
65.	015-242-056	DONALD GREAVER AND KAREN GREAVER
66.	015-242-058	JAMIE C. SMITH AND KATHRYN L. SMITH
67.	015-242-059	BRYAN C. MYLAR AND LISA A. MYLAR
68.	015-242-061	ROBERT HANCOCK AND BECKY HANCOCK
69.	015-243-004	KENNETH M. COFFEY AND HEIDI K. COFFEY
70.	015-243-009	TITUS MCNELLIS
71.	015-243-010	TITUS MCNELLIS
72.	015-243-013	MATTHIAS GESSING AND NATALJA GESSING
73.	015-243-021	DARRYL J. RODRIGUEZ AND VELIA L. RODRIGUEZ
74.	015-243-023	STEVEN PEDONE AND ERIKA PEDONE

[18] Defendants list the plaintiff/owner for this parcel as Jerome A. Marlborough And Jane G. Marlborough and note: "Plaintiffs' counsel has represented that DONALD JOSEPH SARABIA SR. AND ANGELINA MARIE SARABIA purchased this property during the pendency of the litigation. The prior owners, Jerome A. Marlborough And Jane G. Marlborough, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner
75.	015-243-025	DAVID C. STERK AND PAULA A. STERK, TRUSTEES OR THE STERK FAMILY TRUST DATED DECEMBER 15, 1999[19]
76.	015-243-026	KYLE R. KNOEDLER AND WHITNEY A. KNOEDLER
77.	015-243-045	JONATHAN D. METCALF AND KIMBERLY A. METCALF
78.	015-243-056	JONATHAN FULLER AND SARA FULLER[20]
79.	015-251-035	SHAWN J. DIENHART AND MELANIE K. DIENHART
80.	015-261-001	KIM M. FITZPATRICK, TRUSTEE OF THE KIM M. FITZPATRICK REVOCABLE TRUST DATED JULY 21, 2021[21]
81.	015-261-005	GREG NEUMANN AND TONIA L. NEUMANN
82.	015-261-006	GREGORY NEUMANN AND TONIA NEUMANN
83.	015-283-008	JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN, TRUSTEES OF THE JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN REVOCABLE LIVING TRUST
84.	015-283-013	JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN, TRUSTEES OF THE JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN REVOCABLE LIVING TRUST

[19] Defendants list the plaintiff/owner for this parcel as John Wight and note: "Plaintiffs' counsel has represented that DAVID C. STERK AND PAULA A. STERK, TRUSTEES OR THE STERK FAMILY TRUST DATED DECEMBER 15, 1999 purchased this property during the pendency of the litigation. The prior owner, John Wight, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

[20] Defendants list the plaintiff/owner for this parcel as Jonathan Fuller And Sara Hunnicutt.

[21] Defendants list the plaintiff/owner for this parcel as Kim M. Smith.

	APN	Plaintiff/Owner
85.	015-292-028	ANTHONY GLAU AND PAULA DOWNING
86.	015-292-048	BRYAN P. CARUANA AND DEBRA L. CARUANA, TRUSTEES OF THE BRYAN AND DEBRA CARUANA FAMILY TRUST DATED JUNE 08, 2005
87.	015-292-067	DAVID N. HAGGMARK AND JUDITH A. HAGGMARK, TRUSTEES OF THE DAVID & JUDITH HAGGMARK REVOCABLE LIVING TRUST DATED JUNE 25, 2020[22]
88.	015-324-010	JAMES S. CRAIG AND POLLY L. CRAIG
89.	015-324-033	JEFF M. SMITH AND JILL D. SMITH
90.	015-325-019	JAMES MENA[23]
91.	015-325-020	JAMES MENA[24]
92.	015-325-027	MICHAEL W. MOTT AND CATHY M. MOTT
93.	015-325-033[25]	DALE GIEG AND TRACI J. TOWNSEND-GIEG, TRUSTEES OF THE DALE GIEG AND TRACI J. TOWNSEND-GIEG LIVING TRUST, DATED APRIL 29, 2015[26]

[22] Defendants list the plaintiff/owner for this parcel as David Haggmark And Judy Haggmark.

[23] Defendants list the plaintiff/owner for this parcel as James Mena, As Trustee Of The James Mena Living Trust, U/A Dated August 23, 2006.

[24] Defendants list the plaintiff/owner for this parcel as James Mena, As Trustee Of The James Mena Living Trust, U/A Dated August 23, 2006.

[25] New APN 015-325-041.

[26] Defendants list the plaintiff/owner for this parcel as Bgw Productions Inc. 401 (K) Trust Fbo Robert G. Wilcox and note: "Plaintiffs' counsel has represented that DALE GIEG AND TRACI J. TOWNSEND-GIEG, TRUSTEES OF THE DALE GIEG AND TRACI J. TOWNSEND-GIEG LIVING TRUST, DATED APRIL 29, 2015 purchased this property during the pendency of the litigation. The prior owners, Bgw Productions Inc. 401 (K) Trust Fbo

	APN	Plaintiff/Owner
94.	015-325-035	ROBERT G. WILCOX, TRUSTEE OF THE ROBERT G. WILCOX REVOCABLE LIVING TRUST DATED FEBRUARY 27, 2007[27]
95.	015-325-037	KREMENA DIMITROVA AND ILIYAN DIMITROV[28]
96.	015-331-011	JAMES B. CLARK AND DONNA C. CLARK, AS TRUSTEES OF THE CLARK FAMILY TRUST, DATED MAY 29, 2013
97.	015-331-014	ROBERT LOUIS BERRY AND JERYL BERRY, TRUSTEES OF THE ROBERT LOUIS BERRY AND JERYL BERRY 2015 REVOCABLE TRUST
98.	015-331-027	CLAUDE J. DEMERS & DIANE M. DEMERS, TRUSTEES UNDER DECLARATION OF TRUST DATED APRIL 20, 1987
99.	015-331-043	ROBERT POODRY AND CHELSEA POODRY
100.	015-331-048	MARK WELLS RAY AND ELIZABETH ANN RAY, TRUSTEES OF THE RAY FAMILY TRUST DATED JUNE 11, 2004

Robert G. Wilcox, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[27] Defendants list the plaintiff/owner for this parcel as Robert Wilcox.

[28] Defendants list the plaintiff/owner for this parcel as Gene E. Gorbet And Mary E. Gorbet, Trustees Of The Gene E. Gorbet And Mary E. Gorbet 2011 Revocable Trust and note: "Plaintiffs' counsel has represented that KREMENA DIMITROVA AND ILIYAN DIMITROV purchased this property during the pendency of the litigation. The prior owners, Gene E. Gorbet And Mary E. Gorbet, Trustees Of The Gene E. Gorbet And Mary E. Gorbet 2011 Revocable Trust, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner
101.	015-331-049	JUSTIN D. HANSEN AND MICHELLE G. HANSEN, AS CO-TRUSTEES OF THE HANSEN FAMILY TRUST, U/A DATED MAV 15, 2017[29]
102.	015-331-053	RYAN ADAMS AND HEIDI K. ADAMS, TRUSTEES OF THE ADAMS FAMILY TRUST DATED DECEMBER 17, 2020[30]
103.	018-291-023	CHARLES D. ERAS AND LAURA L. ERAS, TRUSTEES OF THE CHARLES D. ERAS AND LAURA L. ERAS REVOCABLE TRUST DATED FEBRUARY 1, 2003
104.	019-011-027	BILLY C. CALLICOTT, TRUSTEE OF THE BILLY C. CALLICOTT TRUST DATED FEBRUARY 2, 1999
105.	019-011-028	PATRICK M. BURR AND MADONNA A. BURR, TRUSTEES OF THE BURR FAMILY TRUST DATED 3/8/2017[31]
106.	019-301-065	KENDALL REED AND LINDA REED, TRUSTEES OF THE KENDALL AND LIND REED REVOCABLE TRUST DATED APRIL 15, 2014
107.	019-341-007	PETER H. SICKINGER AND STACEY SICKINGER
108.	019-341-030	RANDALL V. JORDAN AND MARY K. JORDAN, TRUSTEES OF THE JORDAN FAMILY TRUST, DATED SEPTEMBER 6, 2000, DATED SEPTEMBER 6, 2000

[29] Defendants list the plaintiff/owner for this parcel as Justin Donovan Hansen And Michelle Ginette Hansen.

[30] Defendants list the plaintiff/owner for this parcel as Ryan Adams And Heidi K. Adams.

[31] Defendants list the plaintiff/owner for this parcel as Patrick M. Burr And Madonna A. Burr.

	APN	Plaintiff/Owner
109.	019-351-015	JAMES L. NEBEL AND MARLANE P. NEBEL, TRUSTEES OF THE JAMES AND MARLANE NEBEL FAMILY TRUST, DATED SEPTEMBER 22, 2015 AND ALL SUCCESSOR TRUSTEES, AS COMMUNITY PROPERTY
110.	020-241-086[32]	JONATHAN C. MORRISON AND LYNNETTE A. MORRISON
111.	020-241-088[33]	RICHARD HILL AND ROSE HILL
112.	020-351-005	DEBORAH RANDOLPH AND DANA SHAW, TRUSTEES OF THE RANDOLPH-SHAW FAMILY TRUST DATED MARCH 8, 2002
113.	020-461-018	DEREK WILLIAM STROUD AND LAINEY LEE STROUD, TRUSTEES OF THE STROUD REVOCABLE TRUST DATED NOVEMBER 7,2002
114.	020-461-019	JOHN L. SPLITTORF AND MARY LOU SPLITTORF, TRUSTEES OF THE SPLITTORF FAMILY REVOCABLE TRUST DATED DECEMBER 1, 1997
115.	020-461-037	JOCELYN B. SCARBOROUGH, TRUSTEE OF THE SCARBOROUGH 1998 LIVING TRUST AND DONNA ALLEN TAYLOR, TRUSTEE OF THE TAYLOR 1998 LIVING TRUST
116.	026-161-011	SYLVIA ANN FILIPPINI AND WALTER FILIPPINI, AS COTRUSTEES OF THE FILIPPINI FAMILY TRUST DATED DECEMBER 21, 1989 AND AMENDED JANUARY 25, 1993
117.	027-171-012	GARY DALE DENNIS AND SHERRY ANN DENNIS

[32] New APN 020-243-001.

[33] New APN 020-243-003.

	APN	Plaintiff/Owner
118.	027-291-012	ANTHONY B. HORZEN AND KAREN L. HORZEN. TRUSTEES OF THE HORZEN FAMILY TRUST DATED AUGUST 29, 2005
119.	033-011-019	TROY JAVADI AND LORRAINE JAVADI, COTRUSTEES OF THE TROY AND LORRAINE JAVADI FAMILY TRUST NO. ONE DATED MAY 26, 2004[34]
120.	033-231-004	TROY JAVADI AND LORRAINE JAVARDI, CO-TRUSTEES OF THE TROY AND LORRAINE JAVADI FAMILY TRUST NO. ONE DATED MAY 26, 2004
121.	033-301-038	JAMES B. ALLEN AND LINDA D. ALLEN, TRUSTEES OF THE ALLEN FAMILY TRUST DATED MARCH 1, 2011 AND MINDY LEANE ALLEN TRUSTEE OF THE MINDY LEANE ALLEN REVOCABLE LIVING TRUST DATED 12/7/2016[35]
122.	033-301-039	JAMES B. ALLEN AND LINDA D. ALLEN, TRUSTEES OF THE ALLEN FAMILY TRUST DATED MARCH 1, 2011
123.	033-321-021	RANDY LESTER SALAS, TRUSTEE OF THE RANDY LESTER SALAS REVOCABLE TRUST DATED JANUARY 14, 2021[36]

[34] Defendants list the plaintiff/owner for this parcel as Louise Zimmer, As Trustee Of The Louise Zimmer Trust and note: "Plaintiffs' counsel has represented that TROY JAVADI AND LORRAINE JAVADI, COTRUSTEES OF THE TROY AND LORRAINE JAVADI FAMILY TRUST NO. ONE DATED MAY 26, 2004 purchased this property during the pendency of the litigation. The prior owner, Louise Zimmer, As Trustee Of The Louise Zimmer Trust, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

[35] Defendants list the plaintiff/owner for this parcel as James B. Allen And Linda D. Allen, Trustees Of The Allen Family Trust Dated March 1, 2011.

[36] Defendants list the plaintiff/owner for this parcel as Edwin J. Rambuski and note: "Plaintiffs' counsel has represented that RANDY LESTER SALAS, TRUSTEE OF THE RANDY LESTER SALAS REVOCABLE TRUST DATED JANUARY 14, 2021 purchased this property during the pendency of the litigation. The prior owner, Edwin J. Rambuski, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

	APN	Plaintiff/Owner
124.	033-321-022	EMIL L. BURGARD AND CATHERINE C. BURGARD AS TRUSTEES OF THE EMIL L. BURGARD AND CATHERINE C. BURGARD TRUST, DATED JANUARY 24. 2013
125.	034-191-016	DENNIS W. SHARPE
126.	034-491-011	JOHN L. COLE AND MICHELLE COLE, TRUSTEES OF THE JOHN L. COLE FAMILY TRUST DATED JUNE 7, 2010[37]
127.	035-021-020	LEONARD GELFAND AND JAN B. GELFAND, TRUSTEES OF THE LEONARD AND JANET GELFAND TRUST, UNDER TRUST DATED JULY 22, 1993
128.	035-031-022	DANIEL A. WHEELER AND LISA H. WHEELER, COTRUSTEES OF THE OBI TRUST DATED MAY 17, 2004.
129.	035-041-032	ROBERT D. ROBBINS JR., TRUSTEE OF THE ROBERT D. ROBBINS JR., 2021 REVOCABLE TRUST[38]
130.	035-061-023	JOEL ALAN STINCHFIELD
131.	035-061-054	RANDY L. STINCHFIELD AND TINA L. STINCHFIELD
132.	035-071-016	W. MILLER NEWLON AND CHRISTIN L. NEWLON
133.	035-071-029	SHARON LEE PAINTER, TRUSTEE OF THE SHARON LEE PAINTER REVOCABLE TRUST DATED MAY 16, 2016
134.	035-091-047	CRAIG MARSHALL LEA AND CRISTINA LYNNE LEA, TRUSTEES OF THE CRAIG AND CRISTINA LEA AB LIVING TRUST DATED MARCH 12, 2004

[37] Defendants list the plaintiff/owner for this parcel as John L. Cole And Michelle Cole.

[38] Defendants list the plaintiff/owner for this parcel as Robert D. Robbins.

	APN	Plaintiff/Owner
135.	035-121-034	ERWIN R. GUT AND CORNELIA GUT-WALTER
136.	035-141-019	RANDY LEE STRIBLING AND LORI JO STRIBLING, TRUSTEES OF THE RANDY LEE STRIBLING AND LORI JO STRIBLING 2005 REVOCABLE TRUST
137.	035-141-029	DAVID FRANCIS WELLS AND VICTORIA DABNEY WELLS, TRUSTEES OF THE WELLS FAMILY TRUST, DATED JUNE 17, 2015[39]
138.	035-151-011	JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN, TRUSTEES OF THE JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN REVOCABLE LIVING TRUST
139.	035-151-023	JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN, TRUSTEES OF THE JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN REVOCABLE LIVING TRUST
140.	035-241-027	RAYMOND M. CORDOZA AND DONNA G. CORDOZA, TRUSTEES OF THE CORDOZA FAMILY TRUST DATED JANUARY 22, 2003
141.	035-251-002	WILSON RANCHES INC.
142.	035-271-001	WILSON RANCHES INC.
143.	040-212-028	JOHN ALLAN PESCHONG AND ANNA PESCHONG
144.	042-091-012	DANIEL E. NOLAN AND PAMELA J. NOLAN
145.	042-101-039	JASON L. MELENDY AND LINDSEY N. MELENDY TRUSTEES OF THE JASON L. MELENDY AND LINDSEY N. MELENDY 2015 REVOCABLE TRUST[40]

[39] Defendants list the plaintiff/owner for this parcel as David F. Wells And Victoria D. Wells.

[40] Defendants list the plaintiff/owner for this parcel as Gary L. York And Kathryn R. York, 2004 Revocable Trust;

	APN	Plaintiff/Owner
146.	042-201-062	AUGUST J. BRIGGS AND SALLY R. BRIGGS, TRUSTEES OF AUGUST J. AND SALLY R. BRIGGS 2005 TRUST DATED JANUARY 27, 2006
147.	042-201-067	MARY A. HILDEBRANDT, AS TRUSTEES OF THE HILDEBRANDT FAMILY TRUST, ESTABLISHED JUNE 18, 1984[41]
148.	042-211-007	WEST 22ND STREET CORPORATION
149.	042-211-024	WEST 22ND STREET CORPORATION
150.	043-051-043	TRILOGY FARMS & VINEYARD LLC
151.	043-051-050	CHRIS LUVERNE ANDERSON AND JOANNA L.P. ANDERSON, TRUSTEES OF THE CHRIS L. ANDERSON TRUST DATED 2/17/2012
152.	043-071-001	HARRIET J. WILLIS AND TOBY J. WILLIS, TRUSTEES OF THE HARRIET J. WILLIS AND TOBY J. WILLIS REVOCABLE LIVING TRUST, DATED JULY 15 , 2019[42]
153.	043-111-005	RONG HU, TRUSTEE OF THE RONG HU TRUST OF 2011 DATED DECEMBER 29, 2011[43]

Jason L. Melendy And Lindsey N. Melendy As Trustees Of The Jason L. Melendy And Lindsey N. Melendy 2015 Revocable Trust.

[41] Defendants list the plaintiff/owner for this parcel as Caroll V. Hildebrandt And Mary A. Hildebrandt, As Co- Trustees Of The Hildebrandt Family Trust, Established June 18, 1984.

[42] Defendants list the plaintiff/owner for this parcel as Harriet Willis

[43] Defendants list the plaintiff/owner for this parcel as Lane Santos-Karney And Taylor Santos-Karney and note: "Plaintiffs' counsel has represented that RONG HU, TRUSTEE OF THE RONG HU TRUST OF 2011 DATED DECEMBER 29, 2011 purchased this property during the pendency of the litigation. The prior owner, Lane Santos-Karney And Taylor Santos-Karney, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner
154.	043-211-044	DANN P. RUSSELL AND MOLLYANNA RUSSELL, TRUSTEES OF THE DANN AND MOLLY RUSSELL REVOCABLE TRUST DATED OCTOBER 17, 2007
155.	043-211-045	DIANE B. PALMER, TRUSTEES, CORT T. PALMER FAMILY TRUST, U/D/T 3/7/97[44]
156.	043-351-018	MARSTON D. ROBERTSON AND DIANE WINKLERROBERTSON
157.	424-404-005	BING O. SEID AND KARLA K. SEID[45]
158.	424-404-030	JOEL E COX AND JUDITH A COX[46]
159.	424-404-052	CHARLES V. DAUGHERTY
160.	424-404-053	JOEL E. COX AND JUDITH ANN COX, CO-TRUSTEES OF THE COX FAMILY TRUST, DATED FEBRUARY 20, 2015
161.	424-404-056	JOSEPH L. HAYDEN AND DIANE C. HAYDEN
162.	424-404-069	BRUCE M. GIBSON AND KARI FISHER GIBSON
163.	424-404-074	ANTHONY J. SCALISE AND LEAH M. SCALISE

[44] Defendants list the plaintiff/owner for this parcel as Cort T. Palmer And Diane B. Palmer, Trustees, Cort T. Palmer Family Trust, U/D/T 3/7/97, Separate Property Account Of Cort T. Palmer.

[45] Defendants note: "Plaintiffs have asserted that this parcel is no longer owned by the Seid Plaintiffs. BING O. SEID AND KARLA K. SEID have not been dismissed from the action."

[46] Defendants list the plaintiff/owner for this parcel as Klauss Arangua and note: "Plaintiffs' counsel has represented that JOEL E COX AND JUDITH A COX purchased this property during the pendency of the litigation. The prior owner, Klauss Arangua, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

	APN	Plaintiff/Owner
164.	424-404-079	JOEL E. COX AND JUDITH ANN COX, CO-TRUSTEES OF THE COX FAMILY TRUST, DATED FEBRUARY 20, 2015
165.	424-405-009	KEVIN G. WILL AND LINDA BUTTGEREIT WILL, TRUSTEES OF THE KEVIN G. WILL AND LINDA BUTTGEREIT WILL LIVING TRUST DATED, JUNE 1, 1918[47]

[47] Defendants list the plaintiff/owner for this parcel as Kevin G. Will And Linda Will.

ATTACHMENT 3

Category 3 parcels

	APN	Plaintiff/Owner
1.	015-015-008	HENRY A. HEER AND LESLIE HEER, TRUSTEES OF THE HEER FAMILY TRUST, DATED SEPTEMBER 9, 2016
2.	015-015-009	TYSON HEER, TRUSTEE OF THE TYSON HEER TRUST, DATED JANUARY 12, 2017
3.	015-015-024	WALTER FILIPPINI AND SYLVIA FILIPPINI, TRUSTEES OF THE FILIPPINI FAMILY TRUST DATED DECEMBER 21, 1989
4.	015-041-045[1]	DEAN ANTHONY DISANDRO AND HEIDI VORWICK
5.	015-041-064	DANIEL CHARLES MARAK AND TERRY LYNNE MARAK
6.	015-041-070[2]	TOBIN J. SHUMRICK, TRUSTEE OF THE TOBIN J. SHUMRICK LIVING TRUST DATED DECEMBER 14, 1999 AND LANCE A. SILVER AND CLAIRE M. SILVER, TRUSTEES OF THE SILVER 1991 FAMILY TRUST DATED MAY 24, 1991
7.	015-041-089[3]	TOBIN J. SHUMRICK, TRUSTEE OF THE TOBIN J. SHUMRICK LIVING TRUST DATED DECEMBER 14, 1999 AND LANCE A. SILVER AND CLAIRE M. SILVER, TRUSTEES OF THE SILVER 1991 FAMILY TRUST DATED MAY 24, 1991
8.	015-053-003	JEFFREY WILLIAM HEVERT AND DINA BEHAR HEVERT

[1] New APN 015-043-021.

[2] New APN 015-043-018.

[3] New APN 015-043-004.

	APN	Plaintiff/Owner
9.	015-053-010[4]	STEINBECK VINEYARDS #2, LLC
10.	015-053-012	STEINBECK VINEYARDS # 1, LLC
11.	015-053-016	BARR CREEKSIDE VINEYARD, LLC
12.	015-053-017	RONALD B. MEAD, TRUSTEE OF THE RONALD B. MEAD REVOCABLE TRUST U/D/T DATED JUNE 20, 1010, AS AMENDED
13.	015-053-019	ELIZABETH G. THOMSON, TRUSTEE OF THE THOMSON FAMILY TRUST/SURVIVOR'S TRUST U/D/T SEPTEMBER 14, 2000
14.	015-053-026	EUGENE ALONSO
15.	015-053-041	HIDDEN ACRE LAND & CATTLE TRUST LIMITED NO. 1, DATED SEPTEMBER 25, 2020
16.	015-061-006	GENTLE HILLS VINEYARDS LLC
17.	015-061-022	CRAIG W. OLSON AND JANE M. OLSON, TRUSTEES OF THE OLSON FAMILY TRUST DATED JANUARY 19, 1990
18.	015-072-031	RALPH O. VELASCO AND YOLANDA C. VELASCO
19.	015-072-032	GLENN ROBERT SPRAGUE AND JOY ANN SPRAGUE, TRUSTEES OF THE GLENN AND JOY SPRAGUE TRUST DATED 1/24/2013
20.	015-072-033	JOHN PAUL HUTCHINS AND PEGGY MARIE HUTCHINS
21.	015-072-035	MICHAEL COOK
22.	015-072-055	CONNIE J. HUNT

[4] New APN 015-053-054.

	APN	Plaintiff/Owner
23.	015-072-063	JOHN G. MCCLENATHEN AND KATHYLEEN D. MCCLENATHEN
24.	015-072-069	ALBERT M. NUNES
25.	015-082-017	KEVIN R. HEFFNER AND KATHLEEN H. HEFFNER, TRUSTEES OF THE HEFFNER FAMILY TRUST DATED AUGUST 23, 2012
26.	015-082-027	DANIEL PETER SOTO AND SUSAN RAE SOTO, TRUSTEES OF THE DANIEL AND SUSAN SOTO LIVING TRUST, UTD, MAY 31, 2007
27.	015-082-029	JANICE DALE MARSH AND JAMES NORMAN MARSH
28.	015-083-006	MICHAEL TODD SHICK AND ELSA VERONICA SHICK
29.	015-083-046	BRYCE BAKER AND SHAWN HESTER
30.	015-083-054	TIMOTHY J. FRANCIS AND LYDIA L.H. FRANCIS
31.	015-092-015	CECILIA M. RUIZ AND LIDIA L. RUIZ, TRUSTEES OF THE CECILIA M. RUIZ AND LIDIA I. RUIZ REVOCABLE LIVING TRUST DATED MARCH 25, 2020
32.	015-092-036	EDWARD T. COOK, JR. AND RHONDA M. COOK
33.	015-092-049	RUSSELL ASKEW, BRITTANY ASKEW AND FAITH HARD
34.	015-092-050	RICHARD SCOTT AND ANDREA SCOTT
35.	015-093-021	JASON WADE SLAWSON AND MELLISSIA RUTH SLAWSON
36.	015-093-036	LINDA HEINRICH

	APN	Plaintiff/Owner
37.	015-093-058	JOHN MICHAEL POLITO, TRUSTEE OF THE JOHN MICHAEL POLITO LIVING TRUST DATED MARCH 2, 2012
38.	015-101-019	TODD R. KADOTA AND WENDY KADOTA, TRUSTEES OF THE TODD AND WENDY KADOTA LIVING TRUST 2021
39.	015-101-022	KERMIT KOMM AND CINDY J. RICHARDSON, TRUSTEES OF THE KOMM FAMILY TRUST DATED NOVEMBER 2, 2018
40.	015-101-040	DENNIS E. GERMAIN AND MARY H. GERMAIN, TRUSTEES OF THE DENNIS E. GERMAIN AND MARY H. GERMAIN REVOCABLE LIVING TRUST, DATED MAY 17, 2019
41.	015-101-047	RICK S. GROSS AND MARY L. O'DONNELL, CO-TRUSTEES OF THE GROSS O'DONNELL TRUST DATED SEPTEMBER 7, 2005
42.	015-101-064	TIM KOSHAREK AND CORINA KOSHAREK
43.	015-101-070	BERRIMAN THOMAS WILEY AND TRACEY LOUISE WILEY
44.	015-101-076	SUSAN HANDLEY AMARAL, TRUSTEE OF THE AMARAL MARITAL TRUST UNDER THE ROBERT JOSEPH AMARAL AND SUSAN HANDLEY AMARAL TRUST U/D/T NOVEMBER 24,1973
45.	015-101-077	HELEN J. NOGY, TRUSTEE OF THE HELEN NOGY 1990 REVOCABLE TRUST
46.	015-101-084	JOHN E. ASI AND CARINA I. ASI
47.	015-112-003	SETH ENGEL AND ZINAIDA MIAKINKOFF

	APN	Plaintiff/Owner
48.	015-112-008	BRENT TARNER AND STEPHANIE G. TARNER, TRUSTEES OF THE BRENT TARNER AND STEPHANIE G. TARNER 2016 REVOCABLE TRUST
49.	015-112-032	DAVID A. MADRID AND VIRGINIA A. MADRID, TRUSTEES OF THE VIRGINIA A. MADRID AND DAVID A. MADRID REVOCABLE LIVING TRUST DATED JULY 26, 2018
50.	015-112-038	JEFFREY T CARMON
51.	015-113-001	JEANNE A. TIRADO
52.	015-113-004	JARRED R. JEWETT AND LESLIE A. JEWETT
53.	015-113-009	RANDY S. BESSETTE AND CHRISTY L. NEWMAN
54.	015-113-010	KEITH R. BANKSTON AND MARIANNE BANKSTON
55.	015-113-011	JOSE ALBERTO MARTINEZ CARRASCO AND MARIA GUADALUPE MARTINEZ
56.	015-113-015	WILLIAM DALE BOGGS AND PAMELA KAY BOGGS, TRUSTEES OF THE WILLIAM DALE BOGGS AND PAMELA KAY BOGGS REVOCABLE LIVING TRUST DATED APRIL 11, 2016
57.	015-113-016	DEBRA G. GILLIS
58.	015-122-017	TERRY L. PAYNE AND NANCY P. PAYNE, TRUSTEES OF THE PAYNE FAMILY TRUST DATED JUNE 28, 2017
59.	015-122-032	JOANNE B. WHITE, TRUSTEE OF THE JOANNE B. WHITE REVOCABLE LIVING TRUST DATED MARCH 30, 2011
60.	015-122-039	RAMON E. GOSSELIN AND DIANA P. GOSSELIN

	APN	Plaintiff/Owner
61.	015-122-044	LYDIA J. DANIELE, TRUSTEE OF THE PHILIP AND LYDIA DANIELE FAMILY TRUST DATED DECEMBER 7, 2001
62.	015-123-010	EDWARD M. LAUDERDALE AND SHERRI E. LAUDERDALE
63.	015-123-013	ELIZABETH A. P. SCHUMANN
64.	015-123-022	STANLEY R. WEBER AND PENNY G. WEBER
65.	015-123-025	KEITH T. BOWERS
66.	015-123-051	CARIE B. SINDT, TRUSTEE OF THE CARIE B. SINDT 2019 REVOCABLE TRUST
67.	015-123-053	CLAIRE I. MCCLURE, SUCCESSORS TRUSTEE OF THE HAROLD M. MCCLURE AND CLAIRE I. MCCLURE 2003 REVOCABLE TRUST
68.	015-123-065	ANGELIKA NANETTE KING AND JAMES A. O'QUINN, TRUSTEES OF THE KING-O'QUINN REVOCABLE TRUST 2021
69.	015-142-004	PAUL KUDLA AND DIANNA J. KUDLA
70.	015-142-026	DALE C. HUBBARD
71.	015-142-029	MATT HAMM AND CINDY HAMM
72.	015-151-068	KENNETH D. BURCHELL AND BARBARA L. BURCHELL, TRUSTEES, OF THEIR SUCCESSORS IN TRUST, UNDER THE BURCHELL FAMILY TRUST, DATED JAN 29 1999
73.	015-201-007	LEONARD J. JOHNSON AND CAROL K. JOHNSON, AS TRUSTEES OF THE JOHNSON REVOCABLE LIVING TRUST DATED FEBRUARY 25, 2010

	APN	Plaintiff/Owner
74.	015-201-023	ROBERT MCDONALD AND TINA MCDONALD
75.	015-201-041	LEROY G. POLETTI
76.	015-211-013	JERRY J. EASTON AND KAREN L. EASTON
77.	015-211-017	CINTHIA A. STEVENS AND JOHN STEVENS, AS TRUSTEE OF THE 2013 CINTHIA A. STEVENS AND JOHN STEVENS REVOCABLE TRUST, UNDER DECLARATION OF TRUST DATED MAY 30, 2013 OR ANY SUCCESSOR TRUSTEE OF SAID TRUST
78.	015-211-026	DONALD J. PECK
79.	015-221-003	LINDA J. ALLEN, TRUSTEE OF THE LINDA J. ALLEN REVOCABLE LIVING TRUST DATED MARCH 4, 2010
80.	015-221-021	SEAN P. BYRNE AND JACQUELINE LOBAO BYRNE
81.	015-221-022	JAC WYN JACOBS, PATRICIA JACOBS AND HARUKO OUELLETTE
82.	015-221-033	RICHARD P. MARTIN AND KRISTIE J. MARTIN, TRUSTEES OF THE MARTIN FAMILY REVOCABLE TRUST, U/D/T APRIL 4, 2019
83.	015-221-045	STEVEN T. UDELL AND SHAUNA LEIGH UDELL
84.	015-242-007	BARBARA B. GEARY TRUSTEE OF THE JOHN AND BARBARA GEARY TRUST DATED JULY 10, 1990
85.	015-242-044	JAMES FLANAGAN, JR. AND LAURAN FLANAGAN
86.	015-243-006	STEPHEN M. BAYUS AND KAREN BAYUS
87.	015-243-022	SCOTT C. SIMONS AND DIANE M. SIMONS

	APN	Plaintiff/Owner
88.	015-243-061	MICHAEL J. BROWN AND JOELLE M. BROWN
89.	015-251-010	LAURA MARBLE
90.	015-251-026	BRYCE HUFF AND CIERRA KEENEY
91.	015-251-041	WILLIAM A. THORNTON AND JEANNIE R. THORNTON
92.	015-251-051	CRAIG VELD AND CRYSTAL VELD
93.	015-251-068	JORDAN R. SCHMITT AND KELSEY SCHMITT
94.	015-261-048	PAUL F BARRON, SR., TRUSTEE OF THE PAUL F. BARRON, SR. REVOCABLE LIVING TRUST DATED 1/9/12
95.	015-261-069	GARY JOHNS, JR
96.	015-261-070	ROBERT E. THOMAS, PEGGY RAHET BASHE AND CHAIM SILVERSTEIN- FISHER
97.	015-292-024	ROBERT SPINOLA, II, TRUSTEE OF THE ROBERT SPINOLA, II FAMILY TRUST 2021
98.	015-292-033	ROBERT G. JACOBS AND DIANA L. JACOBS AS TRUSTEES OF THE ROBERT AND DIANA JACOBS FAMILY TRUST DATED AUGUST 23, 2016
99.	015-301-004	STEPHEN A.J. CASSARA AND TIFFANY M. CASSARA
100.	015-324-009	LEESA M PEREA
101.	015-325-018	JAMES MENA, AS TRUSTEE OF THE JAMES MENA LIVING TRUST, U/A DATED AUGUST 23, 2006

	APN	Plaintiff/Owner
102.	015-325-029	BLAKE M. WAGNER AND VIVIAN E. WAGNER, TRUSTEES OF THE WAGNER FAMILY TRUST, DATED JULY 24, 2019
103.	015-325-031	TIMOTHY S. LAWSON AND TAMMY S. LAWSON, TRUSTEES (OR SUCCESSOR TRUSTEE) OF THE TIM AND TAMMY LAWSON FAMILY TRUST DATED APRIL 8TH, 2004
104.	015-325-034[5]	ROBERT G. WILCOX, TRUSTEE OF THE ROBERT G. WILCOX REVOCABLE LIVING TRUST DATED FEBRUARY 27, 2007
105.	015-331-001	ROBERT D. ROBBINS JR., TRUSTEE OF THE ROBERT D. ROBBINS JR., 2021 REVOCABLE TRUST
106.	015-331-018	ROBERT DEAN CABLE
107.	015-351-001	AMY E. FREILICH AND NEIL M. POPOWITZ, TRUSTEES OF THE AMY E. FREILICH AND NEIL M. POPOWITZ 2003 REVOCABLE TRUST DATED 3/13/2003
108.	015-351-006	DELBERT E. SURBER AND VICTORIA A. SURBER, TRUSTEES OF THE DELBERT E. SURBER AND VICTORIA A. SURBER 2013 REVOCABLE TRUST
109.	015-351-011	MANUEL AMAYA AND RENEE AMAYA, TRUSTEES OF THE AMAYA FAMILY 1992 LIVING TRUST CREATED DECEMBER 8, 1992
110.	017-321-017	FLORO RIVERA VASQUEZ
111.	018-041-012	JOHN GREGORY COOK AND SUEAN COOK, TRUSTEES OF THE COOK FAMILY 2000 TRUST DATED MAY 8, 2000
112.	018-041-014	MARK I. SWITZER AND CINDY C. SWITZER

[5] New APN 015-325-043.

	APN	Plaintiff/Owner
113.	018-041-022	VICTORIA ANN SILVA, JENNIFER S. MOFFATT AND JAMES S. MOFFATT
114.	018-051-009	KENNETH J. MCGOURTY AND FUMIE MCGOURTY
115.	018-051-011	EDWARD JOHN CASPER AND SANDRA ELLEN CASPER, TRUSTEES OF THE CASPER LIVING TRUST DATED JULY 31, 1990
116.	018-111-003	RICHARD A. LENT AND JULIE L. LENT, TRUSTEES OF THE LENT LIVING TRUST DATED JANUARY 29, 2013
117.	018-121-015	LINDA K. SCOTT, TRUSTEE OF THE LINDA K. SCOTT REVOCABLE TRUST, DATED SEPTEMBER 1, 2009
118.	018-121-016	LINDA K. SCOTT, TRUSTEE OF THE LINDA K. SCOTT REVOCABLE TRUST, DATED SEPTEMBER 1, 2009
119.	018-211-011	PETER J. BYRNE, TRUSTEE OF THE PETER J. BYRNE TRUST DATED OCTOBER 22, 2012, AND DEBORAH A. BYRNE, TRUSTEE OF THE DEBORAH A. BYRNE TRUST DATED OCTOBER 22, 2012
120.	018-271-014	CODY FERGUSON, TRUSTEE, AND TO HIS SUCCESSOR TRUSTEES OF THE FERGUSON PROPERTY TRUST U/I OCTOBER 20, 1999
121.	018-291-025	CHARLES D. ERAS AND LAURA L. ERAS
122.	018-311-013	JERRY D. WILKINSON AND JERI L. WILKINSON, TRUSTEES OF THE JERRY D. WILKINSON AND JERI L. WILKINSON 2021 REVOCABLE TRUST
123.	018-331-017	PAUL F. KNAPP AND KATHLEEN A. KNAPP
124.	019-011-029	DEBORAH KUNIC, TRUSTEE (OR SUCESSOR TRUSTEES) OF THE DEBORAH KUNIC TRUST DATED MARCH 18, 1994

	APN	Plaintiff/Owner
125.	019-011-053	WYTMAR FARMING, LLC
126.	019-051-024	JAMES A. BONNIFIELD AND STACY MILLER BONNIFIELD
127.	019-071-004	CAMERON VON DOLLEN AND KRYSTLE VON DOLLEN
128.	019-081-011	RANDALL L. BLYTHE, AND KATHLEEN T. BLYTHE, TRUSTEES OF THE RANDALL L. BLYTHE AND KATHLEEN T. BLYTHE 2004 REVOCABLE TRUST
129.	019-151-013	DANIEL D. LEAL AND PAMELA P. LEAL
130.	019-251-021	JEFFREY M SMITH AND JILL D SMITH
131.	019-311-001	DONALD JAMES EXTERKAMP, AS CO -TRUSTEE OF THE EXTERKAMP AND MORFIN REVOCABLE TRUST DATED FEBRUARY 18, 2020 AND RAMON MANUEL MORFFN, AS CO -TRUSTEE OF THE EXTERKAMP AND MORFIN REVOCABLE TRUST DATED FEBRUARY 18, 2020
132.	019-311-022	ALLEN RUSHING AND FRANCES RUSHING, TRUSTEES OF THE ALLEN RUSHING AND FRANCES RUSHING LIVING TRUST DATED APRIL 18, 1996
133.	019-321-024	ALVIN E. MCCLELLAND AND MELISA A. MCCLELLAND
134.	019-331-016	VIRGINIA H. GREER, TRUSTEE OF THE VIRGINIA H. GREER 2007 REVOCABLE TRUST, DATED NOVEMBER 12, 2007
135.	019-331-018	SHELLEY A. DODD AND WILLIAM E. DODD
136.	019-331-020	MARCUS N. DUNNING AND KRISTIN R. DUNNING

	APN	Plaintiff/Owner
137.	019-331-025	SCOTT W. PATTERSON, TRUSTEE OF THE SCOTT W. PATTERSON LIVING TRUST
138.	019-341-001	PHILLIP J. DARNELL, TRUSTEE OF THE PHILLIP J. DARNELL REVOCABLE TRUST DATED MARCH 26, 2008
139.	019-341-026	DONALD A. PALUS
140.	019-341-029	DONALD B. NEWTON, JR. AND SUSAN B. NEWTON TRUSTEES OF THE DONALD B. NEWTON, JR., AND SUSAN B. NEWTON 2002 REVOCABLE TRUST
141.	019-341-032	GARY KRAMER AND LAURA G. KRAMER
142.	019-351-018	CHRIS IVEY AND SHARON IVEY
143.	019-351-021	C. & R. PHILLIPS FAMILY LIVING TRUST, UTD MARCH 22, 2016, RICHARD PHILLIPS AND CHARLOTTE ELIZABETH CERTENBERD PHILLIPS, TRUSTEES
144.	019-361-012	CAROL C. NOE, TRUSTEE OF THE CAROL C. NOE LIVING TRUST DATED NOV. 30, 2005
145.	020-011-029	JOY E. BROWN, JR. AND ANN T. BROWN, TRUSTEES OF THE BROWN FAMILY TRUST U/T/A/ DATED JANUARY 24, 1990
146.	020-011-037	ROBET M. AND JOAN C. BURGESS, TRUSTEES OF THE BURGESS FAMILY TRUST DATED 7/23/2010.
147.	020-011-056	STEVEN C. EORIO AND CAROL B, EORIO, AS TRUSTEES OF THE EORIO FAMILY TRUST DATED NOVEMBER 14, 2011
148.	020-011-064	YONG KIM AND MIRA KIM, TRUSTEES OF THE YONG KIM AND MIRA KIM 2017 REVOCABLE TRUST

	APN	Plaintiff/Owner
149.	020-011-066	DANIEL J. BERGIN AND CYNTHIA L. BERGIN, TRUSTEES OF THE DANIEL J. BERGIN AND CYNTHIA L. BERGIN 2019 REVOCABLE TRUST
150.	020-012-020	RICHARD J. WOODLAND, TRUSTEE OF TRUST "A", FORMED UNDER THE RICHARD J. WOODLAND AND PATRICIA D. WOODLAND TRUST AGREEMENT DATED MAY 23, 1987 FOLLOWING THE DEATH OF PATRICIA D. WOODLAND
151.	020-161-007	CAROL JEANNINE HINKLE, TRUSTEE OF THE HINKLE FAMILY TRUST DATED SEPTEMBER 19, 2013
152.	020-241-015[6]	MARCIA LEE JEWELL CONTINUES TO ACT AS THE DULY QUALIFIED AND ACTING SUCCESSOR TRUSTEE OF JEAN M. ERNST-PERRY LIVING TRUST DATED APRIL 29, 1999, AS AMENDED.
153.	020-241-049[7]	DIAN PACKER AND W. JAY PACKER, TRUSTEES OF THE PACKER FAMILY TRUST DATED NOVEMBER 28,2007
154.	020-241-075[8]	LYNDA L. TODD TRUSTEE OF THE LYNDA L. TODD FAMILY TRUST DATED MARCH 19, 2007
155.	020-241-093[9]	PATRICIA MAE SCOTT, TRUSTEE OF THE SCOTT FAMILY TRUST DATED 8/21/1990
156.	020-271-010	TROY JAVADI AND LORRAINE JAVARDI, CO-TRUSTEES OF THE TROY AND LORRAINE JAVADI FAMILY TRUST NO. ONE DATED MAY 26, 2004

[6] New APN 020-243-004.

[7] New APN 020-243-013.

[8] New APN 020-243-018.

[9] New APN 020-243-020.

	APN	Plaintiff/Owner
157.	020-281-003	DOHRMAN N. MCCOY, JR., AND LORLEI ANN MCCOY, TRUSTEES OF THE DOHRMAN N. MCCOY, JR. AND LORLEI ANN. MCCOY 1997 REVOCABLE TRUST
158.	020-281-021	LINDSAY K. BARKER
159.	020-351-015	BARBARA MIKELONIS, SUCCESSOR TRUSTEE OF THE MIKELONIS FAMILY TRUST DATED SEPTEMBER 13, 1984
160.	020-351-030	RUSSELL P. ANDREW AND DEBORAH L. ANDREW, TRUSTEES OF THE RUSSELL ANDREW AND DEBORAH ANDREW 1991 FAMILY TRUST, DATED SEPTEMBER 6, 1991
161.	020-351-031	RONNIE L. HOLSTINE AND MARGARET C. HEELY
162.	020-351-033	DOUGLAS H. DEGROSS AND TERL A. DEGROSS
163.	020-461-027	JOHN E. POOLE AND CYNTHIA L. THOMPSON
164.	020-461-030	BRIAN L. BROWN, TRUSTEE OF THE MEL E. BROWN FAMILY TRUST DATED JANUARY 4,1999, AS TO AN UNDIVIDED ONE-HALF (1/2) INTEREST AND BRIAN L. BROWN SHALL ACT AS SOLE TRUSTEE OF THE RAYMOND G. AND EDDYLOU BROWN TRUST DATED SEPTEMBER 20, 1990 -SURVIVOR'S TRUST, AS TO AN UNDIVIDED ONE-HALF (1/2) INTEREST
165.	020-461-055	JONATHAN M. SHERLOCK AND LAURA L. SHERLOCK, TRUSTEES OF THE SHERLOCK FAMILY TRUST UNDER AGREEMENT DATED MARCH 12 2007
166.	020-461-056	RAYMOND M. CORDOZA AND DONNA G. CORDOZA, COTRUSTEES OF THE CORDOZA FAMILY TRUST DATED JANUARY 22, 2003
167.	025-410-005	DEREK A. BAER AND SONJIA M. BAER

	APN	Plaintiff/Owner
168.	026-021-006	JOHN M. NIGL AND ALICE P. NIGL, TRUSTEES OF THE 2012 NIGL FAMILY TRUST DATED JULY 16, 2012
169.	026-021-059	DAYMON C. MERRILL AND CASSANDRA A. MERRILL AS TRUSTEES OF THE DAYMON C. MERRILL AND CASSANDRA A. MERRILL REVOCABLE TRUST UNDER DECLARATION OF TRUST DATED AUGUST 2, 2010, OR ANY SUCCESSOR TRUSTEE OF SAID TRUST
170.	026-021-076	RONALD V. MULLINS AND VICTORIA L. MULLINS, TRUSTEES OF THE MULLINS FAMILY REVOCABLE-TRUST, U/D/T APRIL 26, 2004
171.	026-031-015	WELDON MOORE AND ALICE MOORE
172.	026-091-013	MICHAEL D. BANKSTON AND KIM SUZAN BANKSTON, AS CO-TRUSTEES OF THE BANKSTON FAMILY TRUST, DATED NOVEMBER 25TH, 2014
173.	026-104-003	RICHARD R. BURKETT AND LORRAINE F. BURKETT, TRUSTEES OF THE RICHARD R. BURKETT FAMILY 1996 TRUST DATED NOVEMBER 15, 1996
174.	026-104-005	DENNIS R. LOUCKS AND SALLY S. LOUCKS, TRUSTEES OF THE DENNIS R. LOUCKS AND SALLY S. LOUCKS 2014 REVOCABLE TRUST
175.	026-105-007	ROBERT LEE CHRISTIANSEN, TRUSTEE, AND JOAN CHRISTIANSEN, TRUSTEE OF THE CHRISTIANSEN FAMILY TRUST DATED SEPTEMBER 14, 2000
176.	026-151-018	ANTHONY AGUEDA JR. AND KATHI AGUEDA
177.	026-161-013	ANN W. ELLIS, TRUSTEE OF THE ELLIS FAMILY TRUST DATED APRIL 5, 1990

	APN	Plaintiff/Owner
178.	026-161-019	WALTER FILIPPINI AND SYLVIA FILIPPINI, TRUSTEES OF THE FILIPPINI FAMILY TRUST DATED DECEMBER 21, 1989
179.	026-171-020	LYNDA PRIEBE AND DURWARD H. PRIEBE
180.	026-171-025	PIERRE LAHARGOU AND EMALYCE LAHARGOU, HUSBAND AND WIFE AS COMMUNITY PROPERTY
181.	026-183-024	PAL&CC LLC
182.	026-183-037[10]	DONALD J. LINDSTROM AND PATRICIA ANN LINDSTROM
183.	026-183-043	GINNI DEANLLA ROSSI, TRUSTEE OF THE GINNI DEANNA ROSSI FAMILY TRUST DATED 7/23/2020
184.	026-183-050	WELLSONA VINEYARDS, LLC
185.	026-211-042	DENNIS BRADSHAW, TRUSTEE OF THE DENNIS BRADSHAW REVOCABLE TRUST DATED APRIL 25, 2012
186.	026-271-012	TERRI MICHAEL WINN AND WADE DONALD SANTOS, AS TRUSTEES OF THE TERRI MICHAEL WINN AND WADE DONALD SANTOS LIVING TRUST DATED NOVEMBER 6, 2017
187.	026-361-007	DOHRMAN N. MCCOY, JR., AND LORLEI ANN MCCOY, TRUSTEES OF THE DOHRMAN N. MCCOY, JR. AND LORLEI ANN. MCCOY 1997 REVOCABLE TRUST
188.	026-371-001	DOHRMAN N. MCCOY, JR., AND LORLEI ANN MCCOY, TRUSTEES OF THE DOHRMAN N. MCCOY, JR. AND LORLEI ANN. MCCOY 1997 REVOCABLE TRUST

[10] New APN 026-183-063.

	APN	Plaintiff/Owner
189.	026-431-017	HERBERT A. KUNZE AND VIRGINIA M. KUNZE, TRUSTEES OF THE HERBERT A. AND VIRGINIA M. KUNZE INTER VIVOS TRUST
190.	026-431-019	THOMAS C. HARRIS AND DEBORAH J. HARRIS, TRUSTEES OF THE THOMAS AND DEBORAH HARRIS REVOCABLE TRUST DATED SEPTEMBER 25, 2007
191.	027-051-015	SURREY SIX HOLDINGS LLC
192.	027-051-031	RANDY KWIATKOWSKI, DARLA KWIATKOWSKI AND BETTY CAZALY AS TRUSTEE OF THE BETTY CAZALY REVOCABLE TRUST CREATED FEB 18, 2002
193.	027-061-001	SURREY SIX HOLDINGS LLC
194.	027-071-023	ROSENBERG NUT FARM, LLC
195.	027-071-039[11]	JOHN WALTER AND TERRIE LYNN WALTER, TRUSTEES OF THE WALTER FAMILY TRUST DATED NOVEMBER 10, 2010
196.	027-071-041[12]	LEO WALTER, SURVIVING TRUSTEE OF THE LEO AND SHEILA WALTER FAMILY TRUST, DATED JULY 21, 1989
197.	027-153-027	EDWARD F. ENGLER III AND PAMELA J. ENGLER, TRUSTEES OF THE EDWARD F. ENGLER III AND PAMELA J. ENGLER 2018 REVOCABLE TRUST
198.	027-153-044	KAREN L. GARNER AS TRUSTEE OF THE KAREN L. GARNER REVOCABLE TRUST DATED FEBRUARY 27, 1995
199.	027-191-024	DAVID RIGOLI AND MELINDA VOIGT

[11] New APN 027-071-051.

[12] New APN 027-071-052.

	APN	Plaintiff/Owner
200.	027-191-036	SHARON J. KNOEPPEL, TRUSTEE OF THE ROSS M. KNOEPPEL AND SHARON J. KNOEPPEL 1998 REVOCABLE TRUST
201.	027-261-006	JOHN WALTER AND TERRIE LYNN WALTER, TRUSTEES OF THE WALTER FAMILY TRUST DATED NOVEMBER 10, 2010
202.	027-311-029	B A BAXTER, TRUSTEE OF THE B A BAXTER FAMILY TRUST DATED JANUARY 9, 2014
203.	027-411-011	RONALD D. ROUP AND COLEEN J. ROUP, TRUSTEES -OF THE RONALD AND COLEEN ROUP LIVING TRUST DATED JULY 11, 2000
204.	033-011-026	CURT GIBSON AND KATHY GIBSON, TRUSTEES OF THE CURTIS AND KATHY GIBSON LIVING TRUST DATED JULY 23, 2014[13]
205.	033-151-035	ROBERT L. TEITSWORTH AND MARY JANE TEITSWORTH, AS TRUSTEES OF THE TEITSWORTH REVOCABLE TRUST DATED JAN 4, 2002
206.	033-151-056	SUSAN L. NEEDLEMAN, TRUSTEE OF THE SUSAN L. NEEDLEMAN PERSONAL RESIDENCE TRUST DATED MARCH 23, 2006
207.	033-181-024	GEORGE STONE AND BARBARA STONE

[13] Defendants list the plaintiff/owner for this parcel as Philip L. Krumal And Michael J. Dilsaver, As Trustee Of The Michael J. Dilsaver Living Trust U/D/T Dated December 31 1998 and note: "Plaintiffs' counsel also represented that PHILIP L. KRUMAL AND MICHAEL J. DILSAVER purchased this property during the pendency of the litigation. The prior owners, Curt Gibson And Kathy Gibson, are named plaintiffs in the litigation and have not been dismissed from the action."

	APN	Plaintiff/Owner
208.	033-191-027	GERALDINE A. PIANTANIDA, TRUSTEE OF THE GERALDINE ANN PIANTANIDA AND PHILIP A. PIANTANIDA INTERVIVOS TRUST DATED NOVEMBER 25, 1997
209.	033-301-028	RICHARD N. JACOBSEN AND HELEN L. JACOBSEN, TRUSTEES OF THE JACOBSEN FAMILY TRUST DATED APRIL 22, 2005
210.	033-301-040	PAUL F. WALLACE, JR. AND COLLEEN M. WALLACE, TRUSTEES, PAUL F. WALLACE, JR. AND COLLEEN M. WALLACE REVOCABLE TRUST DATED AUGUST 28, 2019
211.	033-301-043	DONALD H. CAMPBELL AND GAIL A. CAMPBELL TRUSTEES OF THE DONALD H. CAMPBELL AND GAIL A. CAMPBELL REVOCABLE LIVING TRUST DATED 10/25/2013.
212.	033-311-004	DANIEL E. ROHDE AND ASHLEIGH H. ROHDE, TRUSTEES OF THE DANIEL & ASHLEIGH ROHDE FAMILY TRUST DATED JUNE 21, 2021
213.	033-311-009	DANIEL K. LARSON AND ERIN E. LARSON, TRUSTEES OF THE LARSON FAMILY TRUST
214.	033-311-010	DANIEL E. ROHDE AND ASHLEIGH H. ROHDE, TRUSTEES OF THE DANIEL & ASHLEIGH ROHDE FAMILY TRUST DATED JUNE 21, 2021
215.	033-311-026	RAYMOND L. WILLINGHAM AND SHIRLEY WILLINGHAM, TRUSTEES OF THE RAYMOND L. WILLINGHAM AND SHIRLEY WILLINGHAM REVOCABLE LIVING TRUST DATED 4/17/09
216.	033-321-005	CLIFFORD BIANCHINE AND DEBORAH R. BLANCHINE, TRUSTEES OF THE BIANCHINE LIVING TRUST, DATED AUUGST 23, 2005

	APN	Plaintiff/Owner
217.	033-321-011	MICHAEL A. VILLALOBOS AND KELLY A. LOBO VILLALOBOS
218.	033-321-012	RONALD ARTHUR VEILLETTE AND CHERIE LEE VEILLETTE, TRUSTEES OF THE VEILLETTE FAMILY TRUST, DATED FEBRUARY 26TH, 2015
219.	033-321-013	GREG MARSHALL WYATT AND THERESA LYNN WYATT AS TRUSTEES OF THE WYATT FAMILY TRUST DATED APRIL 11 1996
220.	033-331-014	NICHOLAS A. CANIGIULA AND JANET E. CANIGIULA, TRUSTEES OF THE NICHOLAS AND JANET CANIGIULA FAMILY TRUST, DATED JUNE 28, 2006
221.	033-331-016	ANN LEE AND THOMAS G. NEE, TRUSTEES OF THE ANN LEE AND THOMAS G. NEE REVOCABLE LIVING TRUST DATED SEPTEMBER 17, 2018
222.	033-331-017	BRYAN PAUL CARUANA AND DEBRA LYNN CARUANA, TRUSTEES OF THE BRYAN AND DEBRA CARUANA FAMILY TRUST DATED JUNE 8 2005
223.	033-331-031	DAVID J. SZMUDANOWSKI AND PATRICIA ANN WEBER AS TRUSTEES OF THE DAVID J. SZMUDANOWSKI TRUST EXECUTED ON SEPTEMBER 23, 1999 AND RESTATED IN ITS ENTIRETY ON SEPTEMBER 11, 2012
224.	033-331-032	JAMES P. NIELSON AND KAREN M. NIELSON
225.	034-012-002	CECIL MARTINEZ AND SUSAN MARTINEZ, TRUSTEES OF THE SUSAN MARTINEZ AND CECIL MARTINEZ, REVOCABLE TRUST DATED SEPTEMBER 21, 2018
226.	034-121-005	NILES EDWARD RASMUSSEN AND WENDY KATHRYN RASMUSSEN

	APN	Plaintiff/Owner
227.	034-131-001	VINCENT J. LIPARI AND DIANA L. LIPARI, TRUSTEES OF THE "VINCENT AND DIANA LIPARI FAMILY TRUST DATED NOVEMBER 4, 2010" AND ALL SUCCESSOR TRUSTEES
228.	034-131-032	JOSEPH PASQUALE DIDAMO AND SUSAN MAY DIDAMO, TRUSTEES OF THE JOSEPH DIDAMO AND SUSAN DIDAMO LIVING TRUST
229.	034-181-017	DENNIS W. SHARPE
230.	034-231-014	DANA LANE LLC
231.	034-261-010	CLIFFORD J. TAYLOR AND MELINDA R. TAYLOR, TRUSTEES OF THE TAYLOR FAMILY TRUST DATED OCTOBER 11, 2011, AND ANY AMENDMENTS THERETO
232.	034-271-015	ROBERT E. CARRUBBA, SR., TRUSTEE OF THE CARRUBBA FAMILY TRUST NO. 1 U/T/D FEBRUARY 8, 1993
233.	034-331-005	JAMES J. OLESNANIK AND SANDRA L. OLESNANIK, TRUSTEES OF THE OLESNANIK FAMILY LIVING TRUST DATED JANUARY 13, 2000
234.	034-331-006	MATTHEW L REESE AND STEPHANIE R. REESE, TRUSTEES OF THE REESE FAMILY REVOCABLE TRUST DATED MARCH 20, 2018
235.	034-331-007	DANIEL F. GEMENY AND KRISTEN FOLEY GEMENY, TRUSTEES OF THE GEMENY FAMILY TRUST DATED OCTOBER 10, 2014
236.	034-331-012	ROBERT BALLO, AS TRUSTEE OF THE ROBERT BALLO REVOCABLE TRUST, DATED OCTOBER 5, 2015
237.	034-331-014	LEZLIE A. LABHARD, TRUSTEE OF THE LEZLIE A. LABHARD 2004 TRUST, DATED OCTOBER 13, 2004

	APN	Plaintiff/Owner
238.	034-331-018	EVELYN ROTH, AS TRUSTEE OF THE EVELYN L. ROTH LIVING TRUST NO. ONE, DATED APRIL 4, 2004
239.	034-491-018	DONALD BUFF MOORE, AS TRUSTEE OF THE DONALD BUFF MOORE LIVING TRUST, U/A DATED MAY 25, 2021
240.	034-501-026	BRENDA L. DYE AND RANDY W. DYE
241.	034-521-025	MICHAEL D. GOODMAN AND CAROLE L. GOODMAN, HUSBAND AND WIFE, AS TRUSTEES OF THE MICHAEL D. AND CAROLE L. GOODMAN FAMILY TRUST DATED APRIL 11, 1988
242.	034-521-026	MICHAEL D. GOODMAN AND CAROLE L. GOODMAN AND DANIEL C. BUTZ AND ANDREA K. BUTZ
243.	035-011-009	T. ROBERT FINLAY AND MARY G. FINLAY, AS TRUSTEES OF THE FINLAY FAMIY TRUST DATED APRIL 4, 2006
244.	035-021-010	DEAN DI SANDRO, TRUSTEE OF THE DEAN A. DI SANDRO REVOCABLE TRUST
245.	035-021-013	DANIEL BATEMAN
246.	035-031-009	PATRICIA A. SHERWIN AND NICHOLAS S. SHERWIN, TRUSTEES OF THE SHERWIN FAMILY TRUST DATED SEPTEMBER 5, 2002
247.	035-031-013	CHRISTOPHER MARK DISANDRO AND KATHLEEN FRANCES DISANDRO, AS TRUSTEES FOR THE DISANDRO FAMILY 2011 TRUST FOR THE BENEFIT OF CHRISTOPHER MARK DISANARO AND KATHLEEN FRANCES DISANDRO UNDER INSTRUMENT DATED JULY 14, 2011

	APN	Plaintiff/Owner
248.	035-031-018	DONALD B. WITMER AND ELAINE H. WITMER, TRUSTEES OF THE WITMER FAMILY TRUST DATED APRIL 10, 2007
249.	035-031-023	SETH SCRIBNER AND WENDY PEDOTTI
250.	035-031-024	LUCAS LAWSON
251.	035-031-028	JAMES B. BOLT AND DEBRA S. BOLT, TRUSTEES OF THE JIM AND DEBBIE BOLT FAMILY LIVING TRUST DATED MAY 10, 2002
252.	035-031-030	JOSEPH S. KINGMAN AND MARTINA H. KINGMAN, TRUSTEES OF THE KINGMAN FAMILY TRUST, DATED APRIL 28, 2017
253.	035-031-031	JATINDEJIT S. BAINS AND KULBINDER BAINS, AS TRUSTEES OF THE BAINS FAMILY 2017 TRUST DATED APRIL 26,2017 AND SATVIR NAGRA AND SUKHDEEP NAGRA, AS TRUSTEES OF THE NAGRA FAMILY TRUST DATED DECEMBER 13, 2018
254.	035-031-042	RONALD G. COOPER AND ALICIA D. COOPER
255.	035-031-043	1580 MAGNOLIA, LLC
256.	035-031-045	GLENN A. BRITTON AND MARILYN M. BRITTON, TRUSTEES OF THE BRITTON FAMILY TRUST DATED JUNE 1, 2000
257.	035-051-010	SHARON L. MANSKER, TRUSTEE OF THE SHARON L. MANSKER REVOCABLE TRUST AGREEMENT DATED MAY 12, 1995
258.	035-061-003	RUSSELL D. HOWARD AND JULIE K. HOWARD
259.	035-061-031	ROBERT STEVENSON GAY, TRUSTEE OF THE GAY FAMILY TRUST DATED AUGUST 26, 2002

	APN	Plaintiff/Owner
260.	035-061-035	SUSAN K. CLARK. TRUSTEE OF THE SUSAN K. CLARK REVOCABLE TRUST DATED JANUARY 4, 2002
261.	035-061-036	WILLIAM R. AVERY AND JUDY A. AVERY, TRUSTEES OF THE WILLIAM R. AVERY AND JUDY A. AVERY 2002 REVOCABLE TRUST
262.	035-061-039	LONG LIFE LLC
263.	035-061-055	GUY MARTIN SIMMONS AND KELLY SUE SIMMONS, CO-TRUSTEES OF THE SIMMONS FAMILY LIVING TRUST DATED NOVEMBER 8, 2020
264.	035-071-004	MARK D. KNIGHT
265.	035-071-014	MARY ANN HOWELL, TRUSTEE OF THE MARY ANN HOWELL LIVING TRUST, DATED MARCH 1, 2000, AND ALL SUCCESSOR TRUSTEES
266.	035-071-015	BARBARA L. HANSEN HUBBARD AND GARY S. HUBBARD, TRUSTEES OF THE HUBBARD FAMILY TRUST DATED MARCH 30, 2005
267.	035-071-017	RYAN MCCLOSKEY AND JULIE MCCLOSKEY
268.	035-071-018	RYAN MCCLOSKEY AND JULIE MCCLOSKEY
269.	035-071-019	HENRY JAMES GRITZFELD AND CATHERINE A. GRITZFELD
270.	035-071-021	MONIQUE F. CRAIG AND JOHN J. CRAIG, TRUSTEES OF THE CRAIG FAMILY TRUST DATED SEPTEMBER 23, 1992
271.	035-071-023	JOHN B. SMITH, JR., TRUSTEE OF THE JOHN B. SMITH, JR., 2002 REVOCABLE TRUST

	APN	Plaintiff/Owner
272.	035-071-027	CARL KOSKI AND AURORA KAISER[14]
273.	035-081-015	RICHARD R. BERGEN[15]
274.	035-081-016	GLEN E. CORNIST AND SUSANNE K. CORNIST[16]
275.	035-081-017	ROBERT J. LABARBERA AND JULIE A. LABARBERA, AS TRUSTEES OF THE ROBERT J. LABARBERA AND JULIE A. LABARBERA 2006 REVOCABLE TRUST[17]
276.	035-081-024	RICHARD D. HARVEY AND SUSAN A. HARVEY, TRUSTEES OF THE RICHARD DOUGLAS HARVEY AND SUSAN ANN HARVEY REVOCABLE TRUST DATED MAY 11, 2002[18]

[14] Defendants note: "Plaintiffs' counsel also represented that CARL KOSKI AND AURORA KAISER purchased this property during the pendency of the litigation. The prior owners, Lawrence F. McGourty And Susan B. McGourty, are named plaintiffs in the litigation and have not been dismissed from the action."

[15] Defendants note: "Defendants inadvertently identified the owner name as SHARON LEE PAINTER, TRUSTEE OF THE SHARON LEE PAINTER REVOCABLE TRUST DATED MAY 16, 2016 for this parcel. The correct Plaintiff name for this parcel is LEA A. RAND. Plaintiffs counsel represented that Richard r. bergen purchased this property during the pendency of the litigation. The prior owner, LEA A. RAND, is the named plaintiff in the litigation and has not been dismissed from the action."

[16] Defendants note: "Defendants inadvertently identified the owner name as RICHARD R. BERGEN for this parcel. The correct Plaintiff names for this parcel is GLEN E. CORNIST AND SUSANNE K. CORNIST."

[17] Defendants note: "Defendants inadvertently identified the owner name as GLEN E. CORNIST AND SUSANNE K. CORNIST for this parcel. The correct owner names are ROBERT J. LABARBERA AND JULIE A. LABARBERA, AS TRUSTEES OF THE ROBERT J. LABARBERA AND JULIE A. LABARBERA 2006 REVOCABLE TRUST."

[18] Defendants note: "Defendants inadvertently identified the owner name as ROBERT J. LABARBERA AND JULIE A. LABARBERA, AS TRUSTEES OF THE ROBERT J. LABARBERA AND JULIE A. LABARBERA 2006 REVOCABLE TRUST for this parcel. The correct owner names are Richard D. Harvey And Susan A. Harvey."

	APN	Plaintiff/Owner
277.	035-081-030	STEPHEN W. SELLWOOD, TRUSTEE OF THE STEPHEN W. SELLWOOD FAMILY TRUST DATED JANUARY 18, 1996[19]
278.	035-081-031	GLENARVON C. RATHWICK JR. AND GLYNDA R. RATHWICK, TRUSTEES OF THE GLENARVON C. RATHWICK JR. AND GLYNDA R. RATHWICK REVOCABLE LIVING TRUST DATED 7/3/2018[20]
279.	035-091-006	TAMMY CRAVEN[21]
280.	035-101-042	FRANK K. SANTOS, TRUSTEE OF THE FRANK K. SANTOS LIVING TRUST, DATED FEBRUARY 6, 2008
281.	035-101-045	NED M. THOMPSON AND CONNIE G THOMPSON
282.	035-101-051	FLIGHT INVESTMENTS, LLC
283.	035-121-013	BARBARA ANN NUISMER FAMILY TRUST U.D.T., JUNE 20, 2009, BARBARA A. NUISMER, TRUSTEE
284.	035-121-018	KENNETH JAMES CAMERON AND DENISE MARIE CAMERON

[19] Defendants note: "Defendants inadvertently identified the owner name as RICHARD D. HARVEY AND SUSAN A. HARVEY, TRUSTEES OF THE RICHARD DOUGLAS HARVEY AND SUSAN ANN HARVEY REVOCABLE TRUST DATED MAY 11, 2002 for this parcel. The correct owner names are STEPHEN W. SELLWOOD, TRUSTEE OF THE STEPHEN W. SELLWOOD FAMILY TRUST DATED JANUARY 18, 1996[.]"

[20] Defendants list the plaintiff/owner for this parcel as Glen Rathwick And Glynda Rathwick.

[21] Defendants note: "Defendants inadvertently identified the owner name as GLENARVON C. RATHWICK JR. AND GLYNDA R. RATHWICK, TRUSTEES OF THE GLENARVON C. RATHWICK JR. AND GLYNDA R. RATHWICK REVOCABLE LIVING TRUST DATED 7/3/2018 for this parcel. The correct owner name are TAMMY CRAVEN."

	APN	Plaintiff/Owner
285.	035-121-020	LYNN M. STROBLE, TRUSTEE OF THE LYNN M. STROBLE REVOCABLE TRUST DATED OCTOBER 24, 2019
286.	035-121-023	CAREN A. LIDDLE, TRUSTEE OF THE CAREN A. LIDDLE REVOCABLE LIVING TRUST DATED AUGUST 5, 2017
287.	035-141-005	HENRY E. GIACOMANTONIO, AND TERESA A. GIACOMANTONIO, TRUSTEES OF THE HENRY E. GIACOMANTONIO, AND TERESA A GIACOMANTONIO 2010 REVOCABLE TRUST
288.	035-141-007	LANNY PERSINGER AND DEBORAH R. PERSINGER
289.	035-141-015	HANNE YDE LUTH
290.	035-141-016	MICHELLE A. GARDNER AND KATHLEEN R. HOLT, TRUSTEES OF THE GARDNER-HOLT FAMILY TRUST, DATED MAY 24, 2018
291.	035-141-021	NANCY K. MURPHY
292.	035-141-022	KEVIN MATHERLY AND SUSAN MATHERLY
293.	035-171-010	ANTHONY F. PALOPOLI TRUSTEE OF THE: ANTHONY F. PALOPOLI LIVING TRUST
294.	035-181-010	GERALD J. BOGUE AND SUSAN BOGUE
295.	035-181-018	KIM M. LACHANCE, TRUSTEE OF THE KIM M. LACHANCE 2012 REVOCABLE TRUST
296.	035-191-037	ROBERTO J. SOUSA AND JOHN ROBERT SAMSKY, III, TRUSTEES OF THE ROBERTO J. SOUSA AND JOHN ROBERT SAMSKY, III REVOCABLE TRUST U/D/T NOVEMBER 9, 2021, OR ANY SUCCESSOR TRUSTEE OF SAID TRUST

	APN	Plaintiff/Owner
297.	035-201-016	JAMES R. WILKINS, TRUSTEE OF THE JAMES R. WILKINS REVOCABLE TRUST DATED OCTOBER 6, 2016
298.	035-231-011	KEVIN MATTHEW CONLAN
299.	035-231-017	ANTHONY J. AZZARITO, JR. AND DEBORAH L. AZZARITO, TRUSTEES OF THE ANTHONY J. AZZARITO, JR. AND DEBORAH L. ANARITO 2004 REVOCABLE TRUST DATED APRIL 6, 2004
300.	035-341-011	SHARON K. ANGLES, TRUSTEES OF THE ANGLES SURVIVOR'S TRUST UNDER THE ANGLES LIVING TRUST DATED APRIL 13TH 1989
301.	035-341-018	SHARON K. ANGLES, TRUSTEES OF THE ANGLES EXEMPTION TRUST UNDER THE ANGLES LIVING TRUST DATED APRIL 13TH 1989
302.	035-341-019	JERRY J. RAVA, SR. AND SUZANNE RAVA AS TRUSTEES OF THE JERRY AND SUZANNE RAVA 2020 TRUST DATED NOVEMBER 23, 2020
303.	035-341-021	TREVOR DALE WAITON AND GENEVIEVE MARISSAYEE WAITON, AND RONALD DALE WAITON AND ZENA JACQUELINE WAITON
304.	035-341-023	CHAD JOSEPH RAVA FAMILY LIMITED PARTNERSHIP
305.	035-351-005	DAN L. WUNSCH AND SHARON E. WUNSCH
306.	035-351-008	JOHN R. SAMSKY, JR. AND CAROL J. SAMSKY, TRUSTEES OF THE SAMSKY LIVING TRUST, DATED THE 3RD DAY OF FEBRUARY, 2011
307.	035-351-014	MARY E. WEBB, AS TRUSTEE OF THAT CERTAIN REVOCABLE DECLARATION OF TRUST, KNOWN AS THE MARY E. WEBB REVOCABLE TRUST, DATED DECEMBER 8, 2009

	APN	Plaintiff/Owner
308.	035-401-019	JUSTIN H. LITTLE AND LEIGH LITTLE
309.	040-131-041	HOME SWEET HOME COTTAGE AND RANCH, LLC
310.	042-101-038	JAMES M. ANSITE AND JENNIFER ANSITE, TRUSTEES OF THE ANSITE FAMILY TRUST, DATED MAY 6, 2008
311.	042-171-004	RANDY BAXLEY AND ELIZABETH BAXLEY
312.	042-211-003	WEST 22ND STREET CORPORATION
313.	042-211-017	MIDCITY INVESTMENTS, LLC
314.	042-261-009	THOMAS L. WERNER AND DEBORAH J. WERNER
315.	043-074-002	JAMES J. OLESNANIK AND SANDRA L. OLESNANIK, TRUSTEES OF THE OLESNANIK FAMILY LIVING TRUST DATED JANUARY 13, 2000
316.	043-091-081	KENDRA SANTOS, TRUSTEE OF THE KENDRA K. SANTOS REVOCABLE LIVING TRUST, DATED JULY 15, 2019
317.	043-093-015	JOHN EVANGELISTA AND DIANE EVANGELISTA
318.	043-093-025	CHARLES PHIFER AND BEVERLY PHIFER, TRUSTEES OF THE PHIFER FAMILY TRUST DATED SEP. 1, 1994
319.	043-101-008	TED R. COOPER PROPERTIES, INC.
320.	043-111-015	TIMOTHY B. PETERSON AND DEBRA L. PETERSON
321.	043-181-003	WAYNE G. HALL AND DYAN BERNICE HALL, AS TRUSTEES OF THE WAYNE G. HALL AND DYAN BERNICE HALL LIVING TRUST, DATED 4-14- 2020

	APN	Plaintiff/Owner
322.	043-232-016	TRAVIS W. BUNDY, TRUSTEE, OR HIS SUCCESSORS IN TRUST, UNDER THE BUNDY IRREVOCABLE TRUST, DATED DECEMBER 28,2012
323.	043-232-020	JAMES A. MEI, TRUSTEE OR ANY SUCCESSOR TRUSTEE OF THE JAMES A. MEI TRUST DATED MARCH 29, 2007
324.	043-251-007	RANDY LEE STRIBLING AND LORI JO STRIBLING, TRUSTEES OF THE RANDY LEE STRIBLING AND LORI JO STRIBLING 2005 REVOCABLE TRUST
325.	043-251-027	SANDEE L. MCLAUGHLIN AND JOANN A. CHAVEZ
326.	043-261-012	TYLER WOOD TRUSTEE OF THE VIKING TRUST DATED FEBRUARY 19, 2021
327.	043-301-043	JANICE K. WOOTEN AND RUDY A. WOOTEN, TRUSTEES OF THE WOOTEN FAMILY TRUST DATED OCTOBER 26,2009
328.	043-323-008	BRAD GOODROW AND MARIBEL GOODROW, TRUSTEES OF THE BRAD AND MARIBEL GOODROW FAMILY TRUST 2020
329.	043-351-014	THEODORE F. HAMM AND LOUISE B. HAMM, TRUSTEES OF THE TED AND LOUISE HAMM FAMILY TRUST, DATED JUNE 5, 2007
330.	071-112-012	JAMES MARTIN ANDERSON AND PHYLLIS J. ANDERSON, TRUSTEES OF THE ANDERSON FAMILY TRUST U/T/D AUGUST 22, 1997
331.	035-341-012	SHARON K. ANGLES, TRUSTEES OF THE ANGLES EXEMPTION TRUST UNDER THE ANGLES LIVING TRUST DATED APRIL 13TH 1989

	APN	Plaintiff/Owner
332.	035-341-013	SHARON K. ANGLES, TRUSTEES OF THE ANGLES EXEMPTION TRUST UNDER THE ANGLES LIVING TRUST DATED APRIL 13TH 1989
333.	035-341-014	SHARON K. ANGLES, TRUSTEES OF THE ANGLES EXEMPTION TRUST UNDER THE ANGLES LIVING TRUST DATED APRIL 13TH 1989
334.	035-341-020	JERRY AND SUZANNE RAVA FAMILY LIMITED PARTNERSHIP
335.	015-053-029[22]	ANDREA LYNN EMERY, TRUSTEE OF THE ANDREA LYNN EMERY REVOCABLE TRUST DATED JUNE 14 , 1995
336.	015-113-014[23]	WILLIAM GREGGORY STOULIL, TRUSTEE OF THE WILLIAM GREGGORY STOULIL TRUST DATED JANUARY 10, 2003
337.	015-142-017	HANS A. VERMY AND DORIS M, VERMY
338.	020-281-024	JACK SLOAN FOSTER AND CHARLOTTE PATRICIA FOSTER, CO-TRUSTEES OF THE FOSTER FAMILY TRUST DATED JUNE 14, 1989
339.	025-422-013	PETER F. JOHNSTON AND JOCELYN W. JOHNSTON, TRUSTEES OF THE PETER F. JOHNSTON AND JOCELYN W. JOHNSTON FAMILY TRUST DATED JANUARY 28, 1997
340.	033-291-031	BRUCE HANSEN

[22] As previously indicated and for the reasons explained, self-help is not shown for this parcel.

[23] New APN 015-141-019.

	APN	Plaintiff/Owner
341.	033-291-033	RONALD E. DAWSON AND SANDRA G. DAWSON, TRUSTEES OF THE DAWSON FAMILY LIVING TRUST DATED MARCH 14, 2012
342.	033-301-047	DONALD H. CAMPBELL AND GAIL A. CAMPBELL TRUSTEES OF THE DONALD H. CAMPBELL AND GAIL A. CAMPBELL REVOCABLE LIVING TRUST DATED 10/25/2013.
343.	035-241-018	JOSEPH M. ALVISO SR. AND JACKIE S. ALVISO
344.	043-093-001	WEST 22ND STREET CORPORATION
345.	015-261-002	JEFFEREY S. APPLING AND TRACY JEWELL APPLING, TRUSTEES OF THE APPLING FAMILY TRUST
346.	027-051-024	NORMAN J. GRENCIUS AND KARYN L. GRENCIUS, TRUSTEES OF THE GRENCIUS FAMILY TRUST DATED JANUARY 6, 2011
347.	035-031-019	DONALD B. WITMER AND ELAINE H. WITMER, TRUSTEES OF THE WITMER FAMILY TRUST DATED APRIL 10, 2007
348.	035-031-025	DENNIS F. AUFDERHAAR AND JACKIE D. AUFDERHAAR
349.	040-081-033	JEFFREY S. HALLETT AND REBECCA M. HALLETT, COTRUSTEES OF THE HALLETT FAMILY TRUST DATED FEBRUARY 12, 1997
350.	043-093-005	CHARLES PHIFER AND BEVERLY PHIFER, TRUSTEES OF THE PHIFER FAMILY TRUST DATED SEP. 1, 1994
351.	015-061-005	JEFF MOSQUEDA, SONJA SCHAMEL, AND RAYMOND SCHAMEL

	APN	Plaintiff/Owner
352.	019-011-038	BENJAMIN S. LAMBETH AND KATHLEEN D. LAMBETH, TRUSTEES OF THE BENJAMIN AND KATHLEEN LAMBETH REVOCABLE TRUST DATED OCTOBER 22, 2004
353.	019-311-019	GARY JOSEPH OSTLER AND DORIS JEAN OSTLER, TRUSTEES OF THE GARY JOSEPH OSTLER AND DORIS JEAN OSTLER LIVING TRUST 2019
354.	035-011-011	LARRY N. RASMUSSEN AND ELAINE K. RASMUSSEN, TRUSTEE OF THE RASMUSSEN FAMILY TRUST DATED SEPTEMBER 4, 1997
355.	035-031-007	DANIEL D. KUHNS AND LISA M. KUHNS (AND THEIR SUCCESSORS IN INTEREST), AS TRUSTEES OF THE DANIEL D. KUHNS AND LISA M. KUHNS FAMILY JOINT REVOCABLE TRUST DATED FEBRUARY 3, 2021
356.	035-061-038	LONG LIFE LLC
357.	035-071-012	TAMMY CRAVEN
358.	035-091-027	GREGORY MARCOTTE

ATTACHMENT 4

Category 4 parcels

	APN	Plaintiff/Owner	Ruling
1.	015-015-025	WALTER FILIPPINI AND SYLVIA FILIPPINI, TRUSTEES OF THE FILIPPINI FAMILY TRUST DATED DECEMBER 21, 1989	SLO 91917 cited as supporting evidence by Plaintiffs does not correspond to this parcel but rather to APN 015-015-024. While this parcel appears to be under common ownership as APN 015-015-024, Plaintiffs point to no evidence permitting attribution during the Prescriptive Period, for instance, by showing common ownership as well as use or operation as a contiguous parcel during the Prescriptive Period. Neither SLO 86996-87000 nor SLO 91491[1] show a 1927 residence on this parcel. SLO 86995[2] (at line 7) does not reflect the existence of a 1927 residence on this parcel. Plaintiffs cite STEIN_002923 and STEIN_2927 as supporting evidence. STEIN_002923 is a water well drillers report that appears to be from 1977 and STEIN_2927 is a water well drillers report dated 1980 but it is unclear how these documents relate to this parcel as there are no APNs listed on them. As such, the Court does not consider these documents to be relevant to the self-help issue as to this parcel. Plaintiffs cite to documents from their request for judicial notice in support of

[1] SLO 91491 is an Excel spreadsheet titled "SLO 91491 - parcel history parent child (1)" containing entries for numerous parcels along with parcel history.

[2] SLO 86995 is an Excel spreadsheet containing multiple sheets of data and entries for numerous parcels along with parcel attributes and other information. Plaintiffs describe SLO 86995 as "a spreadsheet identifying Plaintiff parcels and the attributes of each parcel as taxed in the year 2020." (JPSOD, Attach. 4 at p. 30.)

	APN	Plaintiff/Owner	Ruling
			the proposition that "[d]ocuments recorded by the County on 1-30-1976 (2/3/23 RJN Docs Pt. One - Pg. 8-22) show one large parcel that was subsequently divided into several parcels, including 015-015-024, 015-015-025, and 015-013-055" and "015-013-055, another sibling parcel since 1976 with a 1900 residence remains on the current tax rolls (2/3/23 RJN Docs Pt. One - Pg. 8-22)."[3] However, this is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
2.	015-041-063	URS GRETENER AND MELISSA FISHER	SLO 91491 (at line 41) reflects that APN 015-041-017 is a parent parcel to this parcel. SLO 96168 is a residential building record that corresponds to parent parcel APN 015-041-017 and reflects the existence of an 1898 residence on this parent parcel. Additional notes on this record reflect that this 1898 residence

[3] Plaintiffs also fail to explain, in sequence, exactly how these documents demonstrate the propositions asserted. That is, Plaintiffs provide a conclusion and cite to a block of documents instead of setting out and delineating which document shows what and why that document supports their position.

	APN	Plaintiff/Owner	Ruling
			remained in existence as of 2003. This evidence of a residence on parent parcel APN 015-041-017 prior to and during the Prescriptive Period is attributable to this parcel. Defendants contend there was a residence, well, and/or well equipment on this parcel in 1995, citing SLO 91975 and SLO 91979. SLO 91975 is a residential building record and SLO 91979 is a miscellaneous building record, both for this parcel. However, Defendants do not explain how this rebuts Plaintiffs' showing. Simply because there is evidence of a residence, well, and/or well equipment on this parcel in 1995 does not mean there could not also have been a residence, well, and/or well equipment on the parent parcel for the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
3.	015-041-065	LANCE A. SILVER AND CLAIRE M. SILVER TRUSTEES, OF THE SILVER 1991 FAMILY TRUST	SLO 91491 (at line 43) reflects that APN 015-041-017 is a parent parcel to this parcel. SLO 96168 is a residential building record that corresponds to parent parcel APN 015-041-017 and reflects the existence of an 1898 residence on this parent parcel. Additional notes on this record reflect that this 1898 residence remained in existence as of 2003. This evidence of a residence on parent parcel APN 015-041-017 prior to and during the Prescriptive Period is attributable to this parcel.

	APN	Plaintiff/Owner	Ruling
			Defendants contend there was a residence on this parcel in 1999 and a well and/or well equipment on this parcel in 2000, citing SLO 91967 and SLO 91969. SLO 91967 is a residential building record and SLO 91969 is a miscellaneous building record, both for this parcel. However, Defendants do not explain how this rebuts Plaintiffs' showing. Simply because there is evidence of a residence, well, and/or well equipment on this parcel in 1999 or 2000 does not mean there could not also have been a residence, well, and/or well equipment on the parent parcel for the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
4.	015-053-015	STUART H. MAUDE & KELLY A. MAUDE, TRUSTEES OF THE 2015 MAUDE FAMILY TRUST U/D/T DATED JUNE 26, 2015	SLO 86999 reflects a three-bedroom, two-bathroom residence built on this parcel in 1988. SLO 86995 (at line 27 [three-bedroom, two-bathroom residence built in 1988]) also reflects consistent evidence. Defendants contend there is evidence of a residence, well, and/or well equipment on this parcel in 2003 or 2004. Defendants cite to SLO 95297, SLO 95437, SLO 95443, and SLO 96194. SLO 95297 and SLO 95437 appear to be the same mobile home building record reflecting a 2003 residence on this parcel. SLO 95443 is a miscellaneous building record for this parcel reflecting well and well equipment built in 2003 and 2004. SLO 96194 is a residential building record for APN 015-053-014 and not this parcel.

	APN	Plaintiff/Owner	Ruling
			However, Defendants do not explain how this evidence rebuts Plaintiffs' showing. Simply because there is evidence of a residence, well, and/or well equipment on this parcel in 2003 or 2004 does not mean there could not also have been a residence, well, and/or well equipment on this parcel for the Prescriptive Period. Defendants also do not adequately explain the significance of a mobile home that is "not installed on the property[.]" The Court finds more persuasive SLO 86995 and SLO 86999, which expressly indicate 1988 as the year the residence was built. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
5.	015-053-030	ANDREA LYNN EMERY, TRUSTEE OF THE ANDREA LYNN EMERY REVOCABLE TRUST DATED JUNE 14, 1995	SLO 91491 (at line 60) reflects that APN 015-051-009 is a parent parcel to this parcel. SLO 96200 is a residential building record with "15-051-09" written at the top (among other numbers), but with the "051-09" crossed out. From this, the Court infers that SLO 96200 corresponds to parent parcel APN 015-051-009. SLO 96200 reflects the existence of a 1962 residence on this parent parcel. Additional notes on this record indicate this residence remained in existence in 1977 and had a remaining life of 41 years. This evidence of a residence prior to the Prescriptive Period on parent parcel APN 015-051-009 is attributable to this parcel. Since this

	APN	Plaintiff/Owner	Ruling
			asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. The Court finds persuasive Plaintiffs' evidence of a 1962 residence on parent parcel APN 015-051-009. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
6.	015-123-024	KEITH T. BOWERS	SLO 92335 cited as supporting evidence by Plaintiffs does not correspond to this parcel but rather to APN 015-123-025. While this parcel appears to be under common ownership as APN 015-123-025, Plaintiffs point to no evidence permitting attribution during the Prescriptive Period, for instance, by showing common ownership as well as use or operation as a contiguous parcel during the Prescriptive Period. SLO 86995 (at line 113) and SLO 87006-87010 do not reflect the existence of a residence prior to or during the Prescriptive Period on this parcel. Plaintiffs cite STEIN_005499 and STEIN_005503 as supporting evidence. STEIN_005499 consists of responses to special interrogatories. STEIN_005503 is a document that appears to list estimated water usage which the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great*

	APN	Plaintiff/Owner	Ruling
			American, *supra*,165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
7.	015-142-028	MATT HAMM AND CINDY HAMM	SLO 91901 is a miscellaneous building record for this parcel documenting well equipment built in 1989. Defendants assert that this parcel is taxed as "land only" but do not explain how this might be sufficient to defeat the inference of water usage during the Prescriptive Period based on Plaintiffs' evidence. The Court finds persuasive Plaintiffs' evidence of well equipment on this parcel during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
8.	015-144-028[4]	DAVID WILLIAM SKELTON AND KRISTI SKELTON	SLO 91491 (at line 169) reflects that APN 015-141-071 is a parent parcel to this parcel. SLO 85017 is a 1989 application for water well permit and SLO 85019 is a 1989 water well drillers report, both for parent parcel APN 015-141-071. This indicates the existence of a well during the Prescriptive Period on parent parcel APN 015-141-071 that is attributable to this parcel.

[4] New APN 015-144-038.

	APN	Plaintiff/Owner	Ruling
			Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
9.	015-211-037	JOHN L. FISCHER AND MARY C. FISCHER[5]	SLO 91491 (at line 188) reflects that APN 015-061-009 is a parent parcel to this parcel. SLO 96604 is a residential building record with "15-061-09" (among other numbers) written at the top, but with the "061-09" crossed out. From this, the Court infers that SLO 96604 corresponds to parent parcel APN 015-061-009. SLO 96604 reflects the existence of a 1920 residence on this parent parcel. Additional notes on this record indicate that this residence existed in 1977 and had an estimated remaining life of 10 years. This evidence of a residence on parent parcel APN 015-061-009 prior to the Prescriptive Period is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
10.	015-211-043	MICHAEL T. J. MULLEN AND IRENE MARIA MULLEN, AS	SLO 91491 (at line 190) reflects that APN 015-061-009 is a parent parcel to this parcel.

[5] Defendants list the plaintiff/owner for this parcel as John L. Fischer and Mary C. Tucker, Trustees of the Tucker/Fischer Living Trust 2007.

	APN	Plaintiff/Owner	Ruling
		TRUSTEES OF THE MULLEN FAMILY TRUST DATED SEPTEMBER 17, 1996	SLO 96604 is a residential building record with "15-061-09" (among other numbers) written at the top, but with the "061-09" crossed out. From this, the Court infers that SLO 96604 corresponds to parent parcel APN 015-061-009. SLO 96604 reflects the existence of a 1920 residence on this parent parcel. Additional notes on this record indicate that this residence existed in 1977 and had an estimated remaining life of 10 years. This evidence of a residence on parent parcel APN 015-061-009 prior to the Prescriptive Period is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
11.	015-331-051	CLIFFORD L. LIVELY AND BEVERLY C. LIVELY, AS CO-TRUSTEES OF THE LIVELY FAMILY TRUST, U/A DATED AUGUST 15, 2005	Plaintiffs cite STEIN_003660-STEIN_003662 as supporting evidence. Defendants do not specifically object to this evidence, which consists of documents produced by Plaintiffs during discovery and admitted as part of Exhibit 870 at trial. STEIN_003661 is a letter dated 1997 (1997 Letter) referencing STEIN_003662, a water well drillers report dated 1987 (1987 Report). The 1997 Letter explains that the 1987 Report contains a mistake and should list APN 015-331-015 instead of APN 015-231-001, and that APN 015-331-015 is now APN 015-331-051 (this parcel). Thus, STEIN_003661 and STEIN_003662 indicate there was a well on this parcel in 1987.

	APN	Plaintiff/Owner	Ruling
			Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
12.	018-201-035	B. DALE STANLEY AND DENISE M. STANLEY, TRUSTEES OF THE B. DALE STANLEY AND DENISE M. STANLEY 2017 REVOCABLE TRUST[6]	SLO 96664 (per Plaintiffs, as indicated in the file name, formerly SLO 96654), which Plaintiffs contend shows a 1982 well, is not relevant since it is a mobile home record corresponding to APN 018-201-034 and not this parcel. SLO 96664 also shows a 2002 residence, which is after the Prescriptive Period and thus not relevant. Plaintiffs cite STEIN_009617 and STEIN_003283 as supporting evidence. STEIN_009617 is a water well drillers report dated 1982; however, it lists no APN and it is not clear how this document relates to this parcel. STEIN_003283 is a well completion report that appears to correspond to APN 018-201-008, a parent parcel (SLO 91491 at line 286), but it is dated 2005. As such, the Court does not consider these documents to be relevant to the issue of self-help as to this parcel. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[p]rior to the subdivision in 2005, both parcels, as one large property, shared the characteristics and attributes identified in the County Records produced for APN 018-201-034." However, this is not permissible since "[t]aking judicial notice of a document is not the same as accepting

[6] Defendants list the plaintiff/owner for this parcel as Bryan D. Stanley and Denise M Stanley, Trustees of the B. Dale Stanley and Denise M. Stanley 2017 Revocable Trust.

	APN	Plaintiff/Owner	Ruling
			the truth of its contents or accepting a particular interpretation of its meaning." [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
13.	018-331-016	KATHLEEN A. KNAPP AND JOHN P. GALLAGHER, AS COTRUSTEES OF THE GALLAGHER FAMILY IRREVOCABLE TRUST, DATED SEPTEMBER 18, 2012	Plaintiffs cite STEIN_002720, STEIN_004244, and STEIN_004245, which appear to be Plaintiffs' own interrogatory responses. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American, supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. Plaintiffs point to no other evidence to show self-help. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
14.	019-341-031	GARY KRAMER AND LAURA G. KRAMER	SLO 93001 reflects a photograph (labeled "16-131-13" and apparently dated February 18, 1986) reflecting what appears to be a residence. SLO 91491 (at line 318) reflects that APN 016-131-013 is a parent parcel to this parcel.

	APN	Plaintiff/Owner	Ruling
			SLO 93001 also reflects a photograph of a residence labeled "19-341-022" that appears to be dated November 7, 1989. SLO 91491 (at line 318) reflects that APN 019-341-022 is a parent parcel to this parcel. This evidence of a residence during the Prescriptive Period on a parent parcel is attributable to this parcel. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
15.	020-012-018	FLIGHT INVESTMENTS, LLC	SLO 91491 (at line 332) reflects that APN 020-021-019 is a parent parcel to this parcel, and SLO 96688 reflects a mobile home building record associated with parent parcel APN 020-021-019 indicating the existence of a mobile home built in 1976. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
16.	020-012-021	RICHARD J. WOODLAND, TRUSTEE OF TRUST "A"	SLO 91491 (at line 338) reflects that APN 020-021-019 is a parent parcel to this parcel, and SLO 96688 reflects a mobile home building record associated

	APN	Plaintiff/Owner	Ruling
		FORMED UNDER THE RICHARD J. WOODLAND AND PATRICIA D. WOODLAND TRUST AGREEMENT DATED MAY 23, 1987	with parent parcel APN 020-021-019 indicating the existence of a mobile home built in 1976. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
17.	020-241-070[7]	DOHRMAN N. MCCOY, JR., AND LORLEI ANN MCCOY, TRUSTEES OF THE DOHRMAN N. MCCOY, JR. AND LORLEI ANN. MCCOY 1997 REVOCABLE TRUST	SLO 93077 and SLO 93079 do not correspond to this parcel but rather APN 020-281-003. SLO 91491 (at line 771) does not list a parent parcel for this parcel. Plaintiffs point to no evidence permitting attribution during the Prescriptive Period, for instance, by showing common ownership as well as use or operation as a contiguous parcel during the Prescriptive Period. It is unclear how SLO 91491 supports Plaintiffs' assertion that "APNs 020-241-070 (now 020-242-011), 020-281-003 and 020-281-014 are adjacent parcels that have a common owner/plaintiff" since SLO 91491 does not appear to contain information about ownership, dates of ownership, or parcel adjacency. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.

[7] New APN 020-242-011.

	APN	Plaintiff/Owner	Ruling
18.	020-271-022	TROY JAVADI AND LORRAINE JAVARDI, CO-TRUSTEES OF THE TROY AND LORRAINE JAVADI FAMILY TRUST NO. ONE DATED MAY 26, 2004	SLO 91491 (at line 343) shows that APN 020-271-016 is a parent parcel to this parcel. SLO 96732 shows "20-271-16" written at the top of the page with "16" crossed out and "24" written above. From this, the Court infers that SLO 96732 corresponds to parent parcel APN 020-271-016. SLO 96732 is a mobile home building record showing a residence built in 1978 on parent parcel APN 020-271-016 (now APN 020-271-024). This evidence of a residence on a parent parcel prior to the Prescriptive Period is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
19.	020-271-023	TROY JAVADI AND LORRAINE JAVARDI, CO-TRUSTEES OF THE TROY AND LORRAINE JAVADI FAMILY TRUST NO. ONE DATED MAY 26, 2004	SLO 91491 (at line 344) shows that APN 020-271-016 is a parent parcel to this parcel. SLO 96732 shows "20-271-16" written at the top of the page with "16" crossed out and "24" written above. From this, the Court infers that SLO 96732 corresponds to parent parcel APN 020-271-016. SLO 96732 is a mobile home building record showing a residence built in 1978 on parent parcel APN 020-271-016 (now APN 020-271-024). This evidence of a residence on a parent parcel prior to the Prescriptive Period is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence

	APN	Plaintiff/Owner	Ruling
			during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
20.	020-281-014	DOHRMAN N. MCCOY, JR., AND LORLEI ANN MCCOY, TRUSTEES OF THE DOHRMAN N. MCCOY, JR. AND LORLEI ANN. MCCOY 1997 REVOCABLE TRUST	SLO 93077 and SLO 93079 do not correspond to this parcel but rather APN 020-281-003. SLO 91829 corresponds to this parcel and reflects notations of "irrigation 8 acres" (caps omitted) and "9-74" (on a different part of the record) but Plaintiffs fail to explain how this permits the inference that a well located on APN 020-242-003 "provided irrigation water to 8 acres on 020-281-014 [this parcel]" "[s]ince 1974[.]" SLO 91829 does not contain additional information about what "irrigation 8 acres" means and it is too vague to support an inference of water use on this parcel. There is also no information about when this entry was placed on this record. Plaintiffs point to no evidence permitting attribution during the Prescriptive Period, for instance, by showing common ownership as well as use or operation as a contiguous parcel during the Prescriptive Period. It is unclear how SLO 91491 supports Plaintiffs' assertion that "APNs 020-241-070 (now 020-242-011), 020-281-003 and 020-281-014 are adjacent parcels that have a common owner/plaintiff since 1969, 1962, and 1972, respectively" since SLO 91491 does not appear to contain

	APN	Plaintiff/Owner	Ruling
			information about ownership, dates of ownership, or parcel adjacency. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
21.	020-301-023	A. J. DIANI TRUST, A. J. DIANI TRUSTEE; DANIEL PAUL SHEPARD AND FRANZISKA SHEPARD, TRUSTEES OF THE 1998 DANIEL PAUL SHEPARD REVOCABLE TRUST; MICHAEL A. MARTZ AND NANCY SHEPARD MARTZ, TRUSTEES OF THE MARTZ 2003 TRUST (SCHEDULE B), DATED MAY 5, 2003	Plaintiffs cite STEIN_005548, which appears to be Plaintiffs' own interrogatory responses. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. Plaintiffs point to no other evidence to show self-help. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
22.	026-107-001	MICHAEL G. HUCKLER AND MAUREEN L. HUCKLER	SLO 96548 is a document containing a diagram that has "015-331-054" written at the top and does not appear to correspond to this parcel. SLO 96848, SLO 96852, SLO 96855, and SLO 96856 appear to be documents that correspond to APN 026-101-048 or APN 026-104-004 and not this parcel. SLO 96844 and SLO 96840 correspond to APN 026-101-080 or APN 026-104-003 and not this parcel. SLO 96832 and SLO 96836 correspond to APN 026-101-087 or APN 026-104-002 and not this parcel. SLO 91491 (at line 381) reflects that APN 026-104-008 and APN

	APN	Plaintiff/Owner	Ruling
			026-101-061 are parent parcels to this parcel, and these documents also do not correspond to these parent parcels. Thus, none of these documents appear relevant to the self-help issue as to this parcel. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[a] 1989 residence from the sibling parcel remains on Assessor's tax rolls for APN 020-107-006 [.]" This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
23.	026-151-023	DANIEL RIVAS AND KIMBERLY RIVAS	SLO 91491 (at lines 384-385) reflects that APN 026-151-022 is a parent parcel to this parcel. SLO 96889 is a miscellaneous building record with "26-151-21" (among other numbers) written at the top, but with the "21" crossed out. From this, the Court infers that SLO 96889 corresponds to parent parcel APN 026-151-022. SLO 96889 reflects the existence of a 1980 pump house on parent parcel APN 026-151-022, as well as a 1926 barn. Additional notes indicate that the 1926

	APN	Plaintiff/Owner	Ruling
			barn was remodeled in 2002. The Court considers the pump house to fall within the category of well equipment and finds that this pump house permits a reasonable inference of water use during the Prescriptive Period. This evidence is attributable to this parcel and sufficient to show self-help. Since these assets are not crossed on in this record, the Court infers these assets remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
24.	026-171-026	KIMBERLY J. LAHARGOU AND JOHN LAHARGOU TRUSTEES OF THE LAHARGOU FAMILY TRUST DATED APRIL 28TH, 1999	SLO 91491 (at line 391) shows that APN 026-171-013 is a parent parcel to this parcel. SLO 93217 is a residential building record with "026,171,025" written at the top but also "26-171" followed by a crossed-out "11" and then a crossed-out "13[.]" From this, the Court infers that SLO 93217 corresponds to parent parcel APN 026-171-013. SLO 93217 reflects evidence of a 1922 residence on parent parcel APN 026-171-013. The notes in SLO 93217 indicate that this residence remained in existence as of 1977. This evidence of a residence on the parent parcel prior to the Prescriptive Period is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period.

	APN	Plaintiff/Owner	Ruling
			Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
25.	026-183-021	SYLVESTER WINERY, L. P.	SLO 91491 (at line 392) shows that APN 026-181-010 is a parent parcel to this parcel. SLO 96902 is a residential building record with "026-183-055" written at the top but also appears to show "26-" followed by a crossed-out "181-10" underneath. From this, the Court infers that SLO 96902 corresponds to parent parcel APN 026-181-010. SLO 96902 reflects a 1920 residence on this parent parcel and additional notes indicate that this residence remained in existence as of 1977. This evidence of a residence on the parent parcel prior to the Prescriptive Period is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
26.	026-211-040	DARREN E. MITCHELL AND ANGELA R. MITCHELL, TRUSTEES OF DARREN MITCHELL FAMILY TRUST	SLO 91491 (at line 401) reflects that APN 026-211-007 is a parent parcel to this parcel. SLO 94661 is a residential building record reflecting the existence of a 1940 residence on parent parcel APN 026-211-007. Additional notes on this record

	APN	Plaintiff/Owner	Ruling
		DATED SEPTEMBER 21, 2010	indicate that this 1940 residence remained in existence as of 1977. This evidence of a residence on a parent parcel prior to the Prescriptive Period is attributable to this parcel. There are additional markings on this record consisting of a long diagonal red line drawn across the page along with handwritten notes indicating this residence was gone in 1998, from which the Court infers that this residence remained in existence during the Prescriptive Period and until 1998. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
27.	026-211-041	DARREN E. MITCHELL AND ANGELA R. MITCHELL, TRUSTEES OF DARREN MITCHELL FAMILY TRUST DATED SEPTEMBER 21, 2010	SLO 91491 (at line 405) reflects that APN 026-211-007 is a parent parcel to this parcel. SLO 94661 is a residential building record reflecting the existence of a 1940 residence on parent parcel APN 026-211-007. Additional notes on this record indicate that this 1940 residence remained in existence as of 1977. This evidence of a residence on a parent parcel prior to the Prescriptive Period is attributable to this parcel. There are additional markings on this record consisting of a long diagonal red line drawn across the page along with handwritten notes indicating this residence was gone in 1998, from which the Court infers that this residence remained in existence during the Prescriptive Period and until 1998. Based on this, it is reasonable to infer water usage during the Prescriptive

	APN	Plaintiff/Owner	Ruling
			Period and self-help is established as to this parcel.
28.	027-051-029	SURREY SIX HOLDINGS LLC	SLO 91491 (at line 439) reflects that APN 027-051-005 is a parent parcel to this parcel. SLO 91813 is a miscellaneous building record corresponding to both this parcel and parent parcel APN 027-051-005. SLO 91813 reflects the existence of a 1987 stable and 1983 pole barn as well as an undated horse shelter and a 1987 shop with two carports. These structures cannot be characterized as a residence, well, or well equipment, and the existence of these structures, without more, does not support a reasonable inference of water usage on this parcel. Plaintiffs cite STEIN_011574 as supporting evidence. STEIN_011574 consists of a special interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*,165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
29.	027-071-040[8]	LEO WALTER, SURVIVING TRUSTEE OF THE	SLO 91491 (at lines 444-446) indicates that this parcel, APN 027-071-039, and

[8] New APN 027-071-049.

	APN	Plaintiff/Owner	Ruling
		LEO AND SHEILA WALTER FAMILY TRUST, DATED JULY 21, 1989	APN 027-071-041 originate from parent parcel APN 027-071-017. SLO 93353 is a residential building record corresponding to APN 027-071-041 and parent parcel APN 027-071-017. SLO 93353 indicates the existence of a 1910 residence. The handwritten notes in SLO 93353 under the "APPR. YEAR" column suggest that this 1910 residence remained in existence as of 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
30.	027-145-003	JAMES WELTON MARGETT	SLO 96972 corresponds to APN 027-145-004 and not this parcel. It also reflects the existence of a 2018 residence on APN 027-145-004 rather than a 1987 residence, well, and/or well equipment. SLO 93379 is a residential building record for this parcel but is not relevant since it documents a 1992 residence, which is after the Prescriptive Period. SLO 91491 (at line 449) reflects that APN 027-141-029 is a parent parcel to this parcel. SLO 86116 is an approved application for a water well permit dated

	APN	Plaintiff/Owner	Ruling
			1986 for parent parcel APN 027-141-029, but it is too speculative to infer the existence of a well based on this alone. Plaintiffs fail to explain how "APNs 027-145-003, 004, 014, 015, 019 and 020 and others share a common parent dating from 1950 to 1984" permits a reasonable inference of water use on this parcel during the Prescriptive Period. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "a 1958 and 1960 residence remain on current Assessor's tax rolls for parcel 027-145-014 and 027-145-015[.]" This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
31.	033-051-034	CARL L. BOYER AND KATHRYN L. BOYER, TRUSTEES OF THE CARL L. BOYER AND KATHRYN L. BOYER REVOCABLE TRUST DATED 8/14/99	SLO 91491 (at line 465) reflects that APN 033-051-022 is a parent parcel to this parcel. SLO 97098 is a residential building record with "033-051-037" written at the top along with "33-051" followed by several crossed-out numbers including a "22" that is crossed out. From this, the Court infers that SLO 97098 corresponds to parent parcel APN 033-

	APN	Plaintiff/Owner	Ruling
			051-022. SLO 97098 reflects the existence of a 1974 residence on parent parcel APN 033-051-022. Additional notes on SLO 97098 indicate that this 1974 residence had an estimated remaining life of 57 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
32.	033-051-035	LARRY MICHAEL DOCKINS AND KOLLEEN ANN DOCKINS	SLO 91491 (at line 466) reflects that APN 033-051-022 is a parent parcel to this parcel. SLO 97098 is a residential building record with "033-051-037" written at the top along with "33-051" followed by several crossed-out numbers including "22[.]" From this, the Court infers that SLO 97098 corresponds to parent parcel APN 033-051-022. SLO 97098 reflects the existence of a 1974 residence on parent parcel APN 033-051-022. Additional notes on SLO 97098 indicate that this 1974 residence had an estimated remaining life of 57 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this

	APN	Plaintiff/Owner	Ruling
			asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
33.	033-051-038	BRUCE L. WHITCHER AND ALEXANDRA K. WHITCHER, TRUSTEES OF THE BRUCE AND ALEXANDRA WHITCHER FAMILY TRUST UNDER AGREEMENT DATED SEPTEMBER 5, 2017	SLO 91491 (at line 467) lists only APN 033-051-032 as a parent parcel to this parcel. However, SLO 91491 (at lines 465-466) reflects that APN 033-051-022 is a parent parcel to APN 033-051-032, so the Court infers from this that APN 033-051-022 is also a parent parcel to this parcel. SLO 97098 is a residential building record with "033-051-037" written at the top along with "33-051" followed by several crossed-out numbers including "22[.]" From this, the Court infers that SLO 97098 corresponds to parent parcel APN 033-051-022. SLO 97098 reflects the existence of a 1974 residence on parent parcel APN 033-051-022. Additional notes on SLO 97098 indicate that this 1974 residence had an estimated remaining life of 57 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period.

	APN	Plaintiff/Owner	Ruling
			Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
34.	033-301-041	PAUL WALLACE, JR. AND COLLEEN WALLACE	SLO 91491 (at line 480) reflects that APN 033-301-008 is a parent parcel to this parcel. SLO 93493 is a residential building record with "033,301,040" written at the top and "033-301-008" written underneath, but with the "008" crossed out. SLO 93497, a miscellaneous building record, reflects similar writing at the top. From this, the Court infers that SLO 93493 and SLO 93497 correspond to parent parcel APN 033-301-008. SLO 93493 reflects a 1987 residence and SLO 93493 reflects a well built in 1987, both on parent parcel APN 033-301-008. This evidence of a residence and well during the Prescriptive Period on a parent parcel is attributable to this parcel. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
35.	033-301-042	DONALD H. CAMPBELL AND GAIL A. CAMPBELL TRUSTEES OF THE DONALD H.	SLO 91491 (at line 481) reflects that APN 033-301-011 is a parent parcel to this parcel. SLO 93501 is a residential building record with "33-301-11" written at the

	APN	Plaintiff/Owner	Ruling
		CAMPBELL AND GAIL A. CAMPBELL REVOCABLE LIVING TRUST DATED 10/25/2013.	top and "now 033,301,403" written above it. From this, the Court infers that SLO 93501 corresponds to parent parcel APN 033-301-011. SLO 93501 reflects a 1966 residence on parent parcel APN 033-301-011. Additional notes on SLO 93501 indicate that this 1966 residence had an estimated remaining life of 49 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
36.	033-331-034	ALEXANDER R. ALEXIEV AND LAUREEN L. ALEXIEV	SLO 91491 (at line 499) reflects that APN 033-331-006 is a parent parcel to this parcel. SLO 97296 is a residential building record with "33-331-06" (but with the "06" crossed out) at the top of the document. From this, the Court infers that SLO 97296 corresponds to parent parcel APN 033-331-006. SLO 97296 reflects the existence of a 1976 or 1977 residence on parent parcel APN 033-331-006. Additional notes on SLO 97296 indicate that this residence had an estimated remaining life of 60 years in 1977.

	APN	Plaintiff/Owner	Ruling
			This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
37.	033-331-041	RONALD TANSOM AND CINDY TANSOM	SLO 91491 (at line 501) reflects that APN 033-331-004 is a parent parcel to this parcel. SLO 97262 is a residential building record with "33-331-04" (but with the "04" crossed out) at the top of the document. From this, the Court infers that SLO 97262 corresponds parent parcel APN 033-331-004. SLO 97262 reflects the existence of a 1921 or 1930 residence on this parent parcel. Additional notes on SLO 97262 indicate that this residence had an estimated remaining life of 16 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
38.	034-071-056	JOHN ALLAN PESCHONG AND ANNA PESCHONG	SLO 91491 (at line 503) reflects that APN 034-071-005 is a parent parcel to this parcel.

	APN	Plaintiff/Owner	Ruling
			SLO 97310 is a residential building record with "34-071-07 05" (but with the "07" and "05" crossed out) at the top of the document. From this, the Court infers that SLO 97310 corresponds to parent parcel APN 034-071-005. SLO 97310 reflects a 1950 residence on this parent parcel, and additional notes indicate that this residence had an estimated remaining life of 25 years in 1977. SLO 97330 is a miscellaneous building record that with "034-071-005" written at the top, but with the "005" crossed out, so the Court infers this record corresponds to parent parcel APN 034-071-005. SLO 97330 reflects the existence of a 1980 well on parent parcel APN 034-071-005. This evidence of a residence and well prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since these assets are not crossed on in these records, the Court infers these assets remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
39.	034-201-017	BRADFORD I. NAVE AND MARY M. NAVE, TRUSTEES OF THE	SLO 91491 (at line 509) reflects that APN 034-201-010 is a parent parcel to this parcel.

	APN	Plaintiff/Owner	Ruling
		BRADFORD AND MARY NAVE REVOCABLE TRUST DATED JUNE 16, 2010	Plaintiffs cite to STEIN_002073, a water well drillers report dated 1988 that appears to correspond to parent parcel APN 034-201-010. Defendants do not specifically object to this evidence, which consists of documents produced by Plaintiffs during discovery and admitted as part of Exhibit 870 at trial. This evidence of a well during the Prescriptive Period on a parent parcel is attributable to this parcel. Defendants' "Explanation of Disagreement" section only argues: "This parcel has no evidence of a residence, well, or well related equipment before or during the Prescriptive Period." Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
40.	034-201-024	HALSEY & HALSEY LLC[9]	SLO 91491 (at line 510) reflects that APN 034-201-010 is a parent parcel to this parcel. Plaintiffs cite to STEIN_002073, a water well drillers report dated 1988 that appears to correspond to parent parcel APN 034-201-010. Defendants do not specifically object to this evidence, which consists of documents produced by Plaintiffs during discovery and admitted as part of Exhibit 870 at trial. This evidence of a well during the

[9] Defendants note: "Plaintiffs' counsel has represented that Halsey & Halsey LLC purchased this property during the pendency of the litigation. The prior owners, Arthur R. Everett And Bettie S. Everett, are named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner	Ruling
			Prescriptive Period on a parent parcel is attributable to this parcel. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Defendants' "Explanation of Disagreement" section only argues: "Parcel is taxed as 'land only.' This parcel has no evidence of a residence, well, or well related equipment before or during the Prescriptive Period." Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
41.	034-231-028	DANA LANE LLC[10]	SLO 91491 (at line 512) lists only APN 034-341-003 as a parent parcel to this parcel. SLO 93625 and SLO 93629 correspond to APN 034-231-014, not this parcel or parent parcel APN 034-341-003, so these documents do not appear relevant. It is unclear why it is relevant that "APN 034-231-014 has the same mailing address that is the same as the physical address for APN 034-231-014, 5330 DANA LN NCELPO[.]" Plaintiffs cite to STEIN_002706, a water well drillers report dated 1973, but it is unclear how this document relates to this parcel as there is no APN listed. As such, the Court does not consider this document to be relevant to the issue of self-help as to this parcel.

[10] Defendants note: "Plaintiffs' counsel has represented that Dana Lane LLC purchased this property during the pendency of the litigation. The prior owners, William E. Plant-Mason and Jacqueline Plant-Mason, Co-Trustees Of The Plant-Mason Family Trust Dated August 16, 1991, are named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner	Ruling
			Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "APN 034-231-028 is adjacent to the plaintiff's other parcel 034-231-014[.]" This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. While Plaintiffs argue that a 1973 well and 1989 residence on APN 034-231-014 is attributable to this parcel, Plaintiffs point to no evidence permitting attribution during the Prescriptive Period, for instance, by showing common ownership as well as use or operation as a contiguous parcel during the Prescriptive Period. Also, Plaintiffs do not establish that APN 034-231-014 is an adjacent parcel. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
42.	034-331-022	ORLO C. OLSEN AND KATHLEEN A. OLSEN, TRUSTEES OF THE ORLO C. OLSEN AND KATHLEEN A. OLSEN FAMILY TRUST DATED FEBRUARY 6, 2007	SLO 91491 (at line 521) reflects that APN 034-331-015 is a parent parcel to this parcel. SLO 97420 reflects five photographs, three of which appear to show residential structures and have "34-331-15" along with dates various dates in 1986, 1987, and 1988 written underneath. Based on

	APN	Plaintiff/Owner	Ruling
			this, the Court infers that SLO 97420 corresponds to parent parcel APN 034-331-015. This evidence of a residence or residences during the Prescriptive Period on a parent parcel is attributable to this parcel. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
43.	035-091-041	CANDICE A. KALTENBACH AND ERIC KALTENBACH	SLO 91491 (at line 584) reflects that APN 035-071-002 is a parent parcel to this parcel. SLO 94381 is a miscellaneous building record with "35-071-02 41" written at the top but with the "02" crossed out. SLO 94381 appears to correspond to this parcel as well as parent parcel APN 035-071-002 and reflects an 18,000-gallon underground water storage tank on the parcel built in 1988. The Court considers this to fall within the category of well equipment that supports a reasonable inference of water usage on this parcel during the Prescriptive Period. Defendants' "Explanation of Disagreement" section only argues: "This parcel has no evidence of a residence, well, or well related equipment before or during the Prescriptive Period." Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.

	APN	Plaintiff/Owner	Ruling
44.	035-091-042	SUSAN DUDLEY ZENTMYER, TRUSTEE OF THE SUSAN ZENTMYER LIVING TRUST 2009 DATED JANUARY 9, 2009	SLO 91491 (at line 585) reflects that APN 035-071-002 is a parent parcel to this parcel. SLO 94381 is a miscellaneous building record with "35-071-02 41" written at the top but with the "02" crossed out. From this, the Court infers that this document corresponds to parent parcel APN 035-071-002. SLO 94381 reflects an 18,000-gallon underground water storage tank on the parent parcel built in 1988. The Court considers this to fall within the category of well equipment that supports a reasonable inference of water usage on this parcel during the Prescriptive Period. Defendants' "Explanation of Disagreement" section only argues: "This parcel has no evidence of a residence, well, or well related equipment before or during the Prescriptive Period." Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
45.	035-101-059	FRANK THOMAS AGUIAR, III AND PATRICIA ANNE AGUIAR, TRUSTEE OF THE AGUIAR FAMILY TRUST DATED OCTOBER 21, 1996, AS TO AN	SLO 91491 (at line 592) reflects that APN 035-101-055 and APN 035-101-027 are parent parcels to this parcel. SLO 97462 is a residential building record with multiple numbers written and crossed out at the top, including "35-101-" followed by several crossed out numbers, including "55" and "27[.]" From this, the Court infers that SLO 97462 corresponds to parent parcels APN 035-101-055 and APN 035-101-

	APN	Plaintiff/Owner	Ruling
		UNDIVIDED ONE-HALF INTEREST[11]	027. SLO 97462 reflects the existence of a 1959 residence on the parent parcels. Additional notes on SLO 97462 indicate that this 1959 residence had an estimated remaining life of 43 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
46.	035-101-060	FRANK THOMAS AGUIAR, III AND PATRICIA ANNE AGUIAR, TRUSTEE OF THE AGUIAR FAMILY TRUST DATED OCTOBER 21, 1996, AS TO AN UNDIVIDED ONE-HALF INTEREST[12]	SLO 91491 (at line 594) reflects that APN 035-101-055 and APN 035-101-027 are parent parcels to this parcel. SLO 97462 is a residential building record with multiple numbers written and crossed out at the top, including "35-101-" followed by several crossed out numbers, including "55" and "27[.]" From this, the Court infers that SLO 97462 corresponds to parent parcels APN 035-101-055 and APN 035-101-

[11] Defendants list the plaintiff/owner for this parcel as Frank Jay Lloyd and Judy A. Lloyd Trustee of the Frank Jay Lloyd 1979 Trust Under Agreement Dated August 17, 1979, as to an Undivided One-Half Interest; and Frank Thomas Aguiar, III And Patricia Anne Aguiar, Trustee of the Aguiar Family Trust Dated October 21, 1996, as to an Undivided One-Half Interest.

[12] Defendants list the plaintiff/owner for this parcel as Frank Jay Lloyd and Judy A. Lloyd Trustee of the Frank Jay Lloyd 1979 Trust Under Agreement Dated August 17, 1979, as to an Undivided One-Half Interest; and Frank Thomas Aguiar, III and Patricia Anne Aguiar, Trustee of the Aguiar Family Trust Dated October 21, 1996, as to an Undivided One-Half Interest.

	APN	Plaintiff/Owner	Ruling
			027. SLO 97462 reflects the existence of a 1959 residence on the parent parcels. Additional notes on SLO 97462 indicate that this 1959 residence had an estimated remaining life of 43 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
47.	035-191-027	MILTON L. SHADLE, TRUSTEE OF THE MILTON L. SHADLE REVOCABLE TRUST DATED FEBRUARY 22, 2011	Plaintiffs cite STEIN_002831, STEIN_002833, and STEIN_005829-STEIN_005833 as supporting evidence. STEIN_002831 contains Plaintiffs' interrogatory responses. STEIN_002833 is a "Property Information Search Results" document for this parcel (that appears to have been printed from a San Luis Obispo County website) with handwritten notes "Purchased June 1979" and "Built 1977 or 1978" on it that the Court construes as an interrogatory response. STEIN_005829 to STEIN_005831 also contains Plaintiffs' interrogatory responses or what the Court construes as interrogatory responses. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American, supra*, 165

APN	Plaintiff/Owner	Ruling
		Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_005832 is a statement dated 1987 for a well but contains no APN information indicating this statement corresponds to this parcel. STEIN_005833 is a water well drillers report dated 1987, but it is unclear how this document relates to this parcel as there is no APN listed. As such, the Court does not consider these documents to be relevant to the self-help issue as to this parcel. Plaintiffs assert that "[t]he County produced Assessor's records that show there were improvements on the property valued at $51,000 on 6/8/78" and support this assertion by citing to "SLO 91491 line 614, 2/3/23 RJN Docs Pt. Four – Pg. 50-51, STEIN_002831[.]" The citation to judicially noticed documents does not appear permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Also, the assertion that "[t]he County produced Assessor's records that show there were improvements on the property valued at $51,000 on 6/8/78" is unaccompanied by information about the nature of the "improvements[.]" A

	APN	Plaintiff/Owner	Ruling
			nondescript assertion of "improvements" is too vague to support a reasonable inference of water usage during the Prescriptive Period for this parcel. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
48.	035-341-022	JERRY AND SUZANNE RAVA FAMILY LIMITED PARTNERSHIP	SLO 87084 and SLO 86995 (at line 772) document the existence of a 1966 residence with two bedrooms and one bathroom on this parcel. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
49.	035-341-024	CHAD JOSEPH RAVA FAMILY LIMITED PARTNERSHIP[13]	SLO 91491 (at line 635) reflects that APN 035-341-004 is a parent parcel to this parcel. SLO 93989 is a miscellaneous building record with "35-341-04" written at the top, but with the "04" crossed out and "23" written next to it. From this, the Court infers that SLO 93989 corresponds to parent parcel APN 035-341-004. SLO 93989 documents a tank and two pumps built in 1981 on parent parcel APN 035-341-004. This evidence of well equipment on a parent parcel

[13] Defendants list the plaintiff/owner for this parcel as Jerry J. Rava, Sr. and Suzanne Rava, Trustees of the Jeny J. Rava, Sr. and Suzanne Rava Trust Agreement Dated August 8, 1994 and Chad Joseph Rava, Trustee of the Chad Joseph Rava Living Trust U/D/T June 1, 2004

	APN	Plaintiff/Owner	Ruling
			during the Prescriptive Period is attributable to this parcel. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
50.	040-081-034	MARTIN SELF AND KAREN SELF, TRUSTEES OF THE SELF FAMILY TRUST DATED OCTOBER 25, 2004	SLO 91491 (at line 645) reflects that APN 040-081-014 is a parent parcel to this parcel. SLO 97547 is a residential building record with "40-081-03 14 31" written at the top (among other numbers) but with "03" and "14" crossed out. From this, the Court infers that SLO 97547 corresponds to parent parcel APN 040-081-014. SLO 97547 reflects evidence of a 1959 residence on parent parcel APN 040-081-014. Additional notes on SLO 97547 indicate that this 1959 residence had an estimated remaining life of 38 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.

	APN	Plaintiff/Owner	Ruling
51.	040-153-025	MARK I. SWITZER AND CINDY C. SWITZER	SLO 91491 (at line 648) reflects that APN 040-151-015 is a parent parcel to this parcel. SLO 97607 is a residential building record with various numbers written at the top, including "40-151-" and "15" but with the "15" crossed out. From this, the Court infers that SLO 97607 also corresponds to parent parcel APN 040-151-015. SLO 97607 documents the existence of a 1942 residence on this parent parcel. Additional notes on SLO 97607 indicate that this residence had an estimated remaining life of 20 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. There is a short diagonal line drawn through part of this record but not through the above-mentioned 1977 entry. There are also no notations the Court observes as indicating this asset was destroyed or otherwise removed, such as the word "gone" and a corresponding date. (See SLO 94661 [reflecting a long red diagonal line across the entire record with the words "GONE" and a 1998 date].) The Court finds the short diagonal line to be ambiguous and interprets it as not "crossing out" this asset. Thus, the Court infers that this asset remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.

	APN	Plaintiff/Owner	Ruling
52.	042-101-037	FRED C. HOEY AND JANET C. HOEY	SLO 91762 is a residential building record corresponding to this parcel but reflects only a 2007 residence on this parcel. Since 2007 is after the Prescriptive Period, this document is not relevant. Plaintiffs cite STEIN_001336, a water well drillers report from 1988, but it is unclear how this document relates to this parcel as there is no APN listed. As such, the Court does not consider this document to be relevant to the issue of self-help as to this parcel. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[p]arent 042-101-019 (1980), Barn on MIsc Building Record notes 3/4 Bath." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
53.	042-141-011	RANDY BAXLEY AND ELIZABETH BAXLEY	The Court was unable to locate arguments and citations to evidence corresponding to this parcel in Attachment 4 of the JPSOD. Therefore, self-help is not shown as to this parcel.

	APN	Plaintiff/Owner	Ruling
54.	042-181-002	ANTHONY J. ANDRADE AND CAROLYN E. ANDRADE	SLO 91491 (at line 663) reflects that APN 042-181-001 is a parent parcel to this parcel. SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
55.	042-181-010	SIMON BAKER, AS TRUSTEE OR HIS SUCCESSORS IN TRUST, UNDER THE GRANT AND SUSAN BAKER LIVING TRUST, DATED JULY 23, 1996, AMENDED 10/27/2015	SLO 91491 (at line 9) reflects that APN 042-181-001 is a parent parcel to this parcel. SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period.

	APN	Plaintiff/Owner	Ruling
			Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
56.	042-181-014	KAMRIDGE, LLC	SLO 91491 (at line 10) reflects that APN 042-181-001 is a parent parcel to this parcel. SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
57.	042-181-025	DARLA STEPHENSON AND ANITA BROOKS	SLO 91491 (at line 665) reflects that APN 042-181-001 is a parent parcel to this parcel. SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate

	APN	Plaintiff/Owner	Ruling
			that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
58.	042-181-027	ROGER SCHMITZ AND SUSAN SCHMITZ AS CO-TRUSTEES OF THE SCHMITZ FAMILY TRUST, DATED JANUARY 25, 2013	SLO 91491 (at line 667) reflects that APN 042-181-001 is a parent parcel to this parcel. SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
59.	042-181-033	CHRISTOPHER MAXIMILIAN YERICH AND GINA MARIE YERICH,	SLO 91491 (at line 13) reflects that APN 042-181-001 is a parent parcel to this parcel.

	APN	Plaintiff/Owner	Ruling
		TRUSTEES OF THE CHRISTOPHER MAXIMILIAN YERICH AND GINA MARIE YERICH REVOCABLE LIVING TRUST DTD 12/10/14	SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
60.	042-181-036	DAN L. VERSTUYFT AND CAROLYN L. VERSTUYFT, TRUSTEES OF THE VERSTUYFT TRUST DATED JUNE 25, 2012	Column A in SLO 91491 does not appear to contain an entry for this parcel (APN 042-181-036) and thus does not support the parent parcel APNs asserted by Plaintiffs. SLO 98014 is a residential building record with "42-181-01" and "042-181-045" written at the top. SLO 98014 corresponds to either APN 042-181-001 or APN 042-181-045 and not this parcel, so it does not appear relevant. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel was created with a subdivision in 1999, prior to that the parent parcel was surveyed in 1923[.]" This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial

	APN	Plaintiff/Owner	Ruling
			notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
61.	042-181-038	DALE W. NETHERCUTT, AS TRUSTEE FOR THE NETHERCUTT FAMILY TRUST, CREATED BY A DECLARATION OF TRUST DATED NOVEMBER 4, 2011	SLO 91491 (at line 671) reflects that APN 042-181-001 is a parent parcel to this parcel. SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
62.	042-181-040	THE GEORGE A. NARANCIC, JR. AND RUTH E. NARANCIC 1993 TRUST, GEORGE A. NARANCIC AND RUTH E.	SLO 91491 (at line 14) reflects that APN 042-181-001 is a parent parcel to this parcel. SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on

	APN	Plaintiff/Owner	Ruling
		NARANCIC, TRUSTEES	parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
63.	042-181-041	DAVID M. CHAFE AND KATHLEEN CHAFE, TRUSTEES OF THE CHAFE FAMILY TRUST, U/D/T DATED NOVEMBER 8, 2001	SLO 91491 (at line 673) reflects that APN 042-181-001 is a parent parcel to this parcel. SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.

	APN	Plaintiff/Owner	Ruling
64.	042-181-044	JASON ALLEN GREEN AND SHANNON ELIZABETH MERALA[14]	SLO 91491 (at line 15) reflects that APN 042-181-001 is a parent parcel to this parcel. SLO 98014 is a residential building record with "42-181-01" (among other numbers) written at the top and indicates the existence of a 1940 residence on parent parcel APN 042-181-001. Additional notes on SLO 98014 indicate that this residence had an estimated remaining life of 27 years in 1970. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
65.	042-191-030	THOMAS A MARDESICH, TRUSTEE OF THE THOMAS A MARDESICH 2004 REVOCABLE TRUST, AND EMMA JEAN MARDESICH, TRUSTEE OF THE EMMA JEAN	SLO 98014 is a residential building record with "42-181-01" and "042-181-045" written at the top of the document. SLO 91491 (at line 675) does not reflect that either APN 042-181-001 or APN 042-181-045 are parent parcels to this parcel, so Plaintiffs do not establish that SLO 98014 contains evidence attributable to this parcel.

[14] Defendants note: "Plaintiffs' counsel has represented that Jason Allen Green and Shannon Elizabeth Merala purchased this property during the pendency of the litigation. The prior owners, Murton A. Stewart And Jessica H. Stewart, are named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner	Ruling
		MARDESICH REVOCABLE TRUST	Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel was created with a subdivision in 1999, prior to that the parent parcel was surveyed in 1923[.]" This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs also cite "SLO 94191 lines 663 and 664" but this corresponds to APN 042-181-002 and not this parcel. Moreover, Plaintiffs fail to adequately explain how this evidence supports a finding of self-help as to this parcel. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
66.	042-191-033	TODD K. SCULLY AND TAMMY R. SCULLY, TRUSTEES OF THE T & T SCULLY LIVING TRUST DATED NOVEMBER 19, 2013 AND TODD K. SCULLY	SLO 98014 is a residential building record with "42-181-01" and "042-181-045" written at the top of the document. SLO 91491 (at line 676) does not reflect that either APN 042-181-001 or APN 042-181-045 are parent parcels to this parcel, and Plaintiffs do not establish that SLO 98014 contains evidence attributable to this parcel. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel was created with a subdivision in 1999, prior

	APN	Plaintiff/Owner	Ruling
			to that the parent parcel was surveyed in 1923[.]" This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs also cite "SLO 94191 lines 663 and 664" but this corresponds to APN 042-181-002 and not this parcel. Moreover, Plaintiffs fail to adequately explain how this evidence supports a finding of self-help as to this parcel. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
67.	042-191-047	KAMRIDGE, LLC	SLO 98014 is a residential building record with "42-181-01" and "042-181-045" written at the top of the document. SLO 91491 (at line 677) does not reflect that APN 042-181-001 or APN 042-181-045 are parent parcels to this parcel, and Plaintiffs do not establish that SLO 98014 contains evidence attributable to this parcel. SLO 98032 does not appear relevant since it corresponds to APN 042-191-019 and not this parcel. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel was created with a subdivision in 1999, prior to that the parent parcel was surveyed in 1923[.]" This is not permissible since

	APN	Plaintiff/Owner	Ruling
			" '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs also cite "SLO 94191 lines 663 and 664" but this corresponds to APN 042-181-002 and not this parcel. Moreover, Plaintiffs fail to adequately explain how this evidence supports a finding of self-help as to this parcel. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
68.	042-231-001	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 684) reflects only APN 036-011-001 as a parent parcel. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence. STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and

APN	Plaintiff/Owner	Ruling
		asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point

	APN	Plaintiff/Owner	Ruling
			to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large, contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
69.	042-271-008	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 686) reflects only APN 036-081-001 as a parent parcel. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence. STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered.

APN	Plaintiff/Owner	Ruling
		STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large, contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive

	APN	Plaintiff/Owner	Ruling
			Period and self-help is not established as to this parcel.
70.	042-301-005	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 688) reflects only APN 036-162-002 as a parent parcel. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence. STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help.

	APN	Plaintiff/Owner	Ruling
			Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large, contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
71.	042-301-007	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to

APN	Plaintiff/Owner	Ruling
		APN 042-171-004 and not this parcel. SLO 91491 (at line 689) reflects only APN 036-172-002 as a parent parcel. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence. STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of

	APN	Plaintiff/Owner	Ruling
			its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large, contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
72.	042-301-008	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 690) reflects only APN 036-162-001 as a parent parcel. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence.

APN	Plaintiff/Owner	Ruling
		STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large,

	APN	Plaintiff/Owner	Ruling
			contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large, contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
73.	042-301-009	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 691) reflects only APN 042-301-002 and APN 036-221-001 as parent parcels. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence. STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410;

APN	Plaintiff/Owner	Ruling
		Great American, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large,

	APN	Plaintiff/Owner	Ruling
			contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
74.	042-301-010	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 692) reflects only APN 042-301-002 and APN 036-221-001 as parent parcels. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence. STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs

APN	Plaintiff/Owner	Ruling
		provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large, contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.

	APN	Plaintiff/Owner	Ruling
75.	042-301-011	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 693) reflects that only APN 042-301-006 and APN 036-182-002 are parent parcels to this parcel. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence. STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same

	APN	Plaintiff/Owner	Ruling
			plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large, contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
76.	042-301-012	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 694) reflects that only APN 042-301-006 and APN 036-182-002 are parent parcels to this parcel.

APN	Plaintiff/Owner	Ruling
		As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence. STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of

	APN	Plaintiff/Owner	Ruling
			matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large, contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
77.	042-311-012	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 695) reflects only that APN 042-311-009 and APN 036-232-001 are parent parcels to this parcel. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence.

APN	Plaintiff/Owner	Ruling
		STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other

	APN	Plaintiff/Owner	Ruling
			parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large, contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
78.	042-311-013	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029, cited by Plaintiffs as supporting evidence of a 1940 well, does not correspond to this parcel but rather, to either APN 036-071-001 or APN 042-271-009. SLO 92035 corresponds to APN 042-171-004 and not this parcel. SLO 91491 (at line 696) reflects only that APN 042-311-009 and APN 036-232-001 are parent parcels to this parcel. As such, these cited documents do not appear relevant. Plaintiffs cite STEIN_014789, STEIN_014800, STEIN_014801, STEIN_005241, STEIN_002511, and STEIN_002513 as supporting evidence. STEIN_014789, STEIN_005241, and STEIN_002511 contain Plaintiffs' interrogatory responses. STEIN_002513 is a document listing several APNs and asserting that there are wells for two of the APNs that the Court construes as an interrogatory response. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410;

APN	Plaintiff/Owner	Ruling
		Great American, *supra*, 165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. STEIN_014800 and STEIN_014801 appear to be documents containing diagrams or drawings printed from a San Luis Obispo County website. Plaintiffs provide no explanation as to relevance nor how these documents, if considered by the Court, show self-help. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "[t]his parcel is part one large property owned by the same plaintiffs, including APNs 042-171-004 and 042-271-009." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera*, *supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Plaintiffs argue that because this parcel is used or operated as one large, contiguous property along with other parcels owned by the same plaintiffs, evidence of water usage on one parcel may be attributable to other contiguously used parcels. However, Plaintiffs point to no evidence permitting such attribution for the Prescriptive Period. Simply because this parcel may currently be under common ownership and used or operated as part of one large,

	APN	Plaintiff/Owner	Ruling
			contiguous property does not mean this was true during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
79.	043-074-005	JAMES J. OLESNANIK AND SANDRA L. OLESNANIK, TRUSTEES OF THE OLESNANIK FAMILY LIVING TRUST DATED JANUARY 13, 2000	SLO 94179 does not appear relevant since it is a residential building record corresponding to APN 043-074-002 and not this parcel. SLO 91491 (at line 703) does not reflect a parent parcel for this parcel. Plaintiffs assert: "This property is adjacent to 043-074-002, which has been active since the 1890's. The creation date of parcel 043-074-005 is indicated to be 1982, which strongly suggests the original homestead location with a well from 1890 and residence from 1947 on parcel 043-074-002 incorporated 043-074-005 as well. Same owner as adjacent parcel 043-074-002." However, no specific evidence is cited to support these arguments. Moreover, even assuming that this parcel was used as one contiguous property with APN 043-074-002, Plaintiffs point to no evidence permitting attribution during the Prescriptive Period, for instance, by showing common ownership as well as use or operation as a contiguous parcel during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.

	APN	Plaintiff/Owner	Ruling
80.	043-101-002	WEST 22ND STREET CORPORATION[15]	SLO 92011 does not appear relevant since it is a miscellaneous building record for APN 043-101-008 and not this parcel. SLO 91491 (at line 709) does not reflect a parent parcel for this parcel. While Plaintiffs argue that "SLO 92011 on adjacent parcel 043-101-008 owned by the same plaintiff documents well equipment from 1935[,]" Plaintiffs point to no evidence permitting attribution during the Prescriptive Period, for instance, by showing common ownership as well as use or operation as a contiguous parcel during the Prescriptive Period. Plaintiffs cite to STEIN_003506, a well permit application dated 2015 for APN 043-101-008 and not this parcel. As such, the Court does not consider this document to be relevant to the self-help issue as to this parcel. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
81.	043-101-007	TED R. COOPER PROPERTIES, INC[16]	SLO 92011 does not appear relevant since it is a miscellaneous building record for APN 043-101-008 and not this parcel. SLO 91491 (at line 710) does not reflect a parent parcel for this parcel. While Plaintiffs argue that "SLO 92011 on adjacent parcel 043-101-008 owned by the same plaintiff documents well equipment from 1935[,]" Plaintiffs point

[15] Defendants list the plaintiff/owner for this parcel as Ted R. Cooper Properties, Inc., successor to West 22nd Street Corporation.

[16] Defendants list the plaintiff/owner for this parcel as Ted R. Cooper Properties, Inc., successor to West 22nd Street Corporation.

APN	Plaintiff/Owner	Ruling
		to no evidence permitting attribution during the Prescriptive Period, for instance, by showing common ownership as well as use or operation as a contiguous parcel during the Prescriptive Period. It is unclear how Plaintiffs' citation to SLO 86995 followed by the statement "field 'Sec LUC 1' shows '611 TREES/VINES GRAPES.' " shows self-help as to this parcel, particularly as it is unaccompanied by adequate explanation. Plaintiffs cite STEIN_003506, a well permit application dated 2015 for APN 043-101-008 and not this parcel. As such, the Court does not consider this document to be relevant to the self-help issue as to this parcel. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "SLO 92011 on adjacent parcel 043-101-008 owned by the same plaintiff documents well equipment from 1935." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.

	APN	Plaintiff/Owner	Ruling
82.	043-232-004	WALTER MOLE AND CHRISTINE MOLE	SLO 98272 does not appear relevant since it is a residential building record corresponding to APN 043-232-003 and not this parcel. SLO 91491 (at line 721) does not reflect that APN 043-232-003 is a parent parcel to this parcel. Additionally, SLO 98272 does not support Plaintiffs' assertion of a 1931 residence or 1938 well and/or well equipment. SLO 98294 does not appear relevant since it is a residential building record corresponding to either APN 043-231-001 or APN 043-232-027 and not this parcel. Based on SLO 91491 (at line 721), APN 043-231-001 and APN 043-232-027 are not parent parcels to this parcel. Plaintiffs cite no evidence to support their assertion that APN 043-232-027 is a sibling parcel. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "SLO 98272 and SLO 98294 document an extensive history of improvements on the parent parcel from 1937, including a 1939 residence now on sibling parcel 043-232-027 and a 1965 irrigation pump serving 5 acres on 043-232-003. A GIS survey map also supports this his[t]ory[.]" This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra*, 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered.

	APN	Plaintiff/Owner	Ruling
			Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
83.	043-232-011	JAMES L. MCWILLIAM AND SUSAN M. MCWILLIAM, TRUSTEES OF THE JAMES L. MCWILLIAM AND SUSAN M. MCWILLIAM REVOCABLE TRUST DATED JUNE 6, 2006	SLO 91491 (at line 722) reflects that APN 043-221-008 is a parent parcel to this parcel. SLO 98268 is a miscellaneous building record corresponding to either APN 043-221-008 or APN 043-232-001 and reflects the existence of a 1966 pump and tank on parent parcel APN 043-221-008. This evidence of well equipment prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
84.	043-261-025	TYLER WOOD TRUSTEE OF THE VIKING TRUST DATED FEBRUARY 19, 2021	SLO 91491 (at line 728) reflects that APN 043-261-013 is a parent parcel to this parcel. SLO 98330 is a mobile home building record corresponding to parent parcel APN 043-261-013. SLO 98330 shows the existence of a 1984 residence on this parent parcel. There is a long red diagonal line drawn through this record along with the words "GONE 2008[,]" leading the Court to infer that this residence remained in existence until 2008. This evidence of a residence on a

	APN	Plaintiff/Owner	Ruling
			parent parcel during the Prescriptive Period is attributable to this parcel. Defendants assert this parcel is taxed as "land only" but do not explain how this rebuts Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
85.	043-323-009	BRAD GOODROW AND MARIBEL GOODROW, TRUSTEES OF THE BRAD AND MARIBEL GOODROW FAMILY TRUST 2020	SLO 94257 is a miscellaneous building record that appears to correspond to APN 043-321-028, APN 043-321-049, or APN 043-323-008, not this parcel. SLO 91491 (at line 742) only lists APN 043-321-057 as a parent parcel. SLO 91491 (at line 742) also does not support Plaintiffs' assertion that this parcel shares a parent parcel, APN 043-321-057, as APN 043-323-008. Plaintiffs provide no other supporting evidence or explanation for their conclusion that APN 043-323-008 shares a parent parcel with this parcel. Plaintiffs cite STEIN_003315 and STEIN_003319. STEIN_003315 is a well completion report no. 511534 dated 1999 with a "RECEIVED" stamp for APN 043-321-049 and not this parcel. STEIN_003319 appears to be the same well completion report no. 511534, but without the "RECEIVED" stamp. As such, the Court does not consider these documents to be relevant to the self-help issue as to this parcel. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "SLO 94257 documents many improvements from

	APN	Plaintiff/Owner	Ruling
			1979, which are now on sibling parcel 043-323-008, owned by the same plaintiff, including a residence in 1973." This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra,* 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered. Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
86.	069-032-012	GEORGE ALBERT SULLIVAN	SLO 98360 is a residential building record that does not correspond to this parcel. The numbers written on the top right-hand corner of SLO 98360 are not all legible but appear to list APN 069-012-018, APN 069-012-009, APN 069-012-008, and APN 069-012-010. SLO 91491 (at line 750) lists no parent parcels for this parcel. Plaintiffs do not cite any evidence to support the assertion that APN 069-012-018 is a sibling parcel to this parcel, nor do they explain why it is relevant that "SLO parcel history shows a create date of 2/28/90 for 069-012-013 and 014[.]" Plaintiffs cite STEIN_003389 and STEIN_003366-STEIN_003375 as supporting evidence. STEIN_003389 is a well completion report dated 1996 for APN 033-011-027 and not this parcel. STEIN_003366 and STEIN_003367

APN	Plaintiff/Owner	Ruling
		consist of various maps and diagrams, with STEIN_003367 containing additional handwritten notes that may have been added by Plaintiffs, which the Court does not consider. STEIN_003368 through STEIN_003373 consists of various undated photographs. STEIN_003368 has additional handwriting along one side that is not fully legible. Even if legible, the Court construes this writing as akin to an interrogatory response and would not consider it. STEIN_003374 and STEIN_003375 appear to be recorded documents for APN 069-012-013. The relevance of these documents is unclear since Plaintiffs failed to adequately explain what these documents purport to show with respect to water use on this parcel during the Prescriptive Period, so the Court does not consider these documents to be relevant to the issue of self-help as to this parcel. Plaintiffs cite to documents from their request for judicial notice in support of the proposition that "APNs 069-012-013 and 069-012-014 are developed as one property; buildings on the property cross the boundary line of the current property; and APNs 069-012-013, 014 and 018 were one parcel in 1969[.]" This is not permissible since " '[t]aking judicial notice of a document is not the same as accepting the truth of its contents or accepting a particular interpretation of its meaning.' [Citation.] While courts take judicial notice of public records, they do not take notice of the truth of matters stated therein. [Citation.]" (*Herrera, supra,* 196 Cal.App.4th at p. 1375.) Therefore, this information is not considered.

	APN	Plaintiff/Owner	Ruling
			Given this, it is not reasonable to infer water usage during the Prescriptive Period and self-help is not established as to this parcel.
87.	015-053-008	STEINBECK VINEYARDS #2, LLC	SLO 91491 (at line 48) reflects that APN 015-051-069 is a parent parcel to this parcel. SLO 96216 and SLO 95075 appear to be identical documents, a residential building record with "15-051-52 64 69" and "015-053-054" written at the top, but with the "15-051-52 64" crossed out. From this, the Court infers that SLO 96216 and SLO 95075 correspond to parent parcel APN 015-051-069. SLO 96216 and SLO 95075 indicate the existence of a 1975 residence on parent parcel APN 015-051-069. Additional notes on these documents indicate that this 1975 residence had an estimated remaining life of 58 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in these records, the Court infers it remained in existence during the Prescriptive Period. Defendants contend that there is evidence of a 1999 residence and 1997 well and/or well equipment, citing SLO 96182 and SLO 96185. SLO 96182 is a residential building record that appears to correspond to APN 015-051-070, a parent parcel to this parcel (SLO 91491 at lines 47-48), while SLO 96185 is a miscellaneous building record that also appears to correspond to parent parcel APN 015-051-070. However, Defendants do not explain how this rebuts Plaintiffs' showing. Simply

	APN	Plaintiff/Owner	Ruling
			because there is evidence of a residence, well, and/or well equipment attributable to this parcel in 1997 and 1999 does not mean there could not also have been a residence, well, and/or well equipment attributable to this parcel for the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
88.	015-053-011[17]	STEINBECK VINEYARDS #2, LLC	SLO 91491 (at line 52) reflects APN 015-051-009 is a parent parcel to this parcel. SLO 96200 is a residential building record with "15-051-09" written at the top (among other numbers), but with the "051-09" crossed out. From this, the Court infers that SLO 96200 corresponds to parent parcel APN 015-051-009. SLO 96200 reflects the existence of a 1962 residence on this parent parcel. Additional notes on this record indicate this residence had an estimated remaining life of 41 years in 1977. This evidence of a residence on parent parcel APN 015-051-009 is attributable to this parcel. Defendants assert that this parcel is taxed as "land only" but do not explain how this might be sufficient to defeat the inference of water usage during the Prescriptive Period based on Plaintiffs' evidence. Based on this, it is reasonable to infer water usage during the Prescriptive

[17] New APN 015-053-055.

	APN	Plaintiff/Owner	Ruling
			Period and self-help is established as to this parcel.
89.	015-053-040	HIDDEN ACRE LAND & CATTLE TRUST LIMITED NO. 1, DATED SEPTEMBER 25, 2020[18]	SLO 91491 (at line 63) reflects that APN 015-053-025 and APN 015-051-049 are parent parcels to this parcel. SLO 95319 and SLO 95459 appear to be identical documents, a residential building record with "15-051-49" (but with "051-49" crossed out) as well as "053-025" and "now 015,053,041" written at the top. From this, the Court infers that SLO 95319 and SLO 95459 correspond to parent parcel APN 015-051-049. SLO 95319 and SLO 95459 indicate the existence of a 1977 residence on parent parcel APN 015-051-049. Additional notes on these documents indicate that this residence had an estimated remaining life of 60 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in these records, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.

[18] Defendants list the plaintiff/owner for this parcel as Keith M. Harnish and Antha Newport Harnish, Trustees of the Harnish Family Trust Dated August 19, 1994 and note: "Plaintiffs' counsel has represented that HIDDEN ACRE LAND & CATTLE TRUST LIMITED NO. 1, DATED SEPTEMBER 25, 2020 purchased this property during the pendency of the litigation. The prior owners, Keith M. Harnish And Antha Newport Harnish, Trustees Of The Harnish Family Trust Dated August 19, 1994[], are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner	Ruling
90.	015-053-042	HIDDEN ACRE LAND & CATTLE TRUST LIMITED NO. 1, DATED SEPTEMBER 25, 2020[19]	SLO 91491 (at line 65) reflects that APN 015-053-025 and APN 015-051-049 are parent parcels to this parcel. SLO 95319 and SLO 95459 appear to be identical documents, a residential building record with "15-051-49" (but with "051-49" crossed out) as well as "053-025" and "now 015,053,041" written at the top. From this, the Court infers that SLO 95319 and SLO 95459 correspond to parent parcel APN 015-051-049. SLO 95319 and SLO 95459 indicate the existence of a 1977 residence on parent parcel APN 015-051-049. Additional notes on these documents indicate that this residence had an estimated remaining life of 60 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since this asset is not crossed out in these records, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
91.	015-053-051	HIDDEN ACRE LAND & CATTLE TRUST LIMITED NO. 1, DATED	SLO 91491 (at line 66) reflects that APN 015-053-025 is a parent parcel to this parcel. SLO 95319 is a residential building record that appears to

[19] Defendants list the plaintiff/owner for this parcel as Keith M. Harnish and Antha Newport Harnish, Trustees of the Harnish Family Trust Dated August 19, 1994 and note: "Plaintiffs' counsel has represented that Hidden Acre Land & Cattle Trust Limited No. 1, dated September 25, 2020 purchased this property during the pendency of the litigation. The prior owners, Keith M. Harnish And Antha Newport Harnish, Trustees Of The Harnish Family Trust Dated August 19, 1994[], are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner	Ruling
		SEPTEMBER 25, 2020[20]	correspond to parent parcel APN 015-053-025 and reflects the existence of a 1977 residence on this parent parcel. Additional notes on this document indicate that this residence had an estimated remaining life of 60 years in 1977. SLO 91491 (at line 67) reflects that APN 015-053-028 is a parent parcel to this parcel. SLO 96210 is a residential building record that appears to correspond to parent parcel APN 015-053-028 and reflects the existence of a 1967 residence on this parent parcel. Additional notes on this document indicate that this 1967 residence had an estimated remaining life of 50 years in 1977. This evidence of a residence prior to the Prescriptive Period on a parent parcel is attributable to this parcel. Since these assets are not crossed on in these records, the Court infers these assets remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
92.	015-113-043	LUCAS REED COULTON	SLO 92297 is a mobile home building record with "015-113-043" written at the

[20] Defendants list the plaintiff/owner for this parcel as Keith M. Harnish and Antha Newport Harnish, Trustees of the Harnish Family Trust Dated August 19, 1994 and note: "Plaintiffs' counsel has represented that Hidden Acre Land & Cattle Trust Limited No. 1, dated September 25, 2020 purchased this property during the pendency of the litigation. The prior owners, Keith M. Harnish And Antha Newport Harnish, Trustees Of The Harnish Family Trust Dated August 19, 1994[], are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner	Ruling
			top and reflects the existence of a 1988 residence on this parcel. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
93.	015-243-046	LEAUDREY A. KOENIG[21]	SLO 92683 is a mobile home building record with "015-243-046" written at the top and reflects the existence of a 1987 residence on this parcel. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
94.	015-325-024	RICHARD RAPER AND JEANICE REYES	SLO 91491 (at line 4) reflects that APN 015-321-032 is a parent parcel to this parcel. SLO 96516 is a residential building record with "15-321-32" written at the top but with the "32" crossed out. From this, the Court infers that SLO 96516 corresponds to parent parcel APN 015-321-032. SLO 96516 reflects the existence of a 1986 residence on the parent parcel attributable to this parcel. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.

[21] Defendants list the plaintiff/owner for this parcel as Diane E. Stone and note: "Plaintiffs' counsel has represented that Leaudrey A. Koenig purchased this property during the pendency of the litigation. The prior owner, Diane E. Stone, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

	APN	Plaintiff/Owner	Ruling
95.	017-164-019	MARY RUSSELL, TRUSTEE OF THE MARY RUSSELL REVOCABLE TRUST DATED JUNE 30, 2000; ANN R. MYHRE, TRUSTEE OF THE MYHRE FAMILY LIVING TRUST DATED JULY 7, 1983, AS AMENDED	SLO 91887 is a miscellaneous building record with "017-164-019" written at the top and reflects the existence of a 1954 pump on this parcel. There is also an entry in this record for a 1964 irrigation pipeline with an estimated total life of 20 years. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
96.	017-251-073	MARY RUSSELL, TRUSTEE OF THE MARY RUSSELL REVOCABLE TRUST DATED JUNE 30, 2000; ANN R. MYHRE, TRUSTEE OF THE MYHRE FAMILY LIVING TRUST DATED JULY 7, 1983, AS AMENDED	SLO 91875 is a miscellaneous building record with "017-251-073" written at the top (among other numbers) and reflects the existence of a 1954 pump on this parcel. SLO 91875 also contains an entry for another 1954 pump, with "1954" crossed out and "1997" written to the left, along additional notes "(new well drilled in '06)[.]" This indicates that this second 1954 pump remained in existence until 1997, when it was presumably rebuilt or replaced. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
97.	017-251-074	MARY RUSSELL, TRUSTEE OF THE MARY RUSSELL REVOCABLE TRUST DATED JUNE 30, 2000; ANN R. MYHRE, TRUSTEE OF THE MYHRE FAMILY LIVING TRUST DATED JULY 7,	SLO 91869 is a miscellaneous building record with "017-251-074" written at the top and reflects the existence of two pumps built in 1957, as well as a pump rebuilt in 1962. This is evidence of well equipment on this parcel prior to the Prescriptive Period. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period.

	APN	Plaintiff/Owner	Ruling
		1983, AS AMENDED	SLO 91491 (at line 273) reflects that APN 017-251-001 is a parent parcel to this parcel. SLO 96622 is a residential building record with "17-251-01" written at the top and reflects the existence of a 1958 residence on parent parcel APN 017-251-001. Additional notes on this document indicate that this residence had an estimated remaining life of 42 years in 1977. This evidence of a residence on a parent parcel prior to the Prescriptive Period is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
98.	026-431-020	THOMAS C. HARRIS AND DEBORAH J. HARRIS, TRUSTEES OF THE THOMAS AND DEBORAH HARRIS REVOCABLE TRUST DATED SEPTEMBER 25, 2007	SLO 91491 (at line 433) reflects that APN 026-431-003 is a parent parcel to this parcel. SLO 93265 is a residential building record with "26-431-03" written at the top and reflects the existence of a 1957 residence on parent parcel APN 026-431-003. Additional notes on this document indicate that this residence had an estimated remaining life of 40 years in 1977. This evidence of a residence on a parent parcel prior to the Prescriptive Period is attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive

	APN	Plaintiff/Owner	Ruling
			Period and self-help is established as to this parcel.
99.	026-441-007	DARREN R. AMARAL[22]	SLO 93277 is a miscellaneous building record with "26-441-07" written at the top and reflects the existence of a 1971 pump on this parcel. This is evidence of well equipment on this parcel prior to the Prescriptive Period. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
100.	027-051-019	SURREY SIX HOLDINGS LLC	SLO 96958 is a residential building record for APN 027-051-020 and not this parcel. This document is not relevant since it does not correspond to this parcel and SLO 91491 (at line 436) does not list APN 027-051-020 as a parent parcel. SLO 91491 (at line 436) reflects that APN 027-051-014 is a parent parcel to this parcel. SLO 85874 is an application for a water well permit dated 1990 and appears to correspond to parent parcel APN 027-051-014. SLO 85878 is a 1990 letter regarding parent parcel APN 027-051-014 from the County of San Luis Obispo Department of Public Health, Division of Environmental Health stating that well construction has been approved. However, it is too speculative to infer the existence of a

[22] Defendants list the plaintiff/owner for this parcel as Darren R. Amaral, Mark J. Amaral, Trustee of the Mark J. Amaral Revocable Trust, U/D/T/ December 5, 2011.

APN	Plaintiff/Owner	Ruling
		well based on this alone absent any indication, for instance, of some progress towards actual well construction. Plaintiffs also argue "[o]ne of 5 adjacent parcels under common ownership operated as one parcel with 1981 well permit and well drillers report in the possession of current owner (STEIN 011506 and SLO 89518 line 10745) and 1984/85 well permit and well drillers report on adjacent APN 027-051-015 (SLO 85199)." STEIN 011506 is the first page of Plaintiffs' interrogatory responses and contains no actual responses, but it appears Plaintiffs want to cite their own interrogatory responses as supporting evidence. A party may not cite its own interrogatory responses as evidence. (Code Civ. Proc., § 2030.410; *Great American*, *supra*,165 Cal.App.4th at p. 450 ["[T]he responding party may not use its own interrogatory responses in its own favor."].) As such, this information is not considered. SLO 89518 (at line 10745) contains no APN information and Plaintiffs do not explain how this evidence supports their position. SLO 85199 is an approved application for a water well permit for APN 027-051-015 and not this parcel, and even if attributable to this parcel, it is too speculative to infer the existence of a well based on this evidence alone. None of this evidence demonstrates that it is reasonable to allow attribution based on the theory that certain parcels were operated as one contiguous parcel during the Prescriptive Period. Given this, it is not reasonable to infer water usage during the Prescriptive

	APN	Plaintiff/Owner	Ruling
			Period and self-help is not established as to this parcel.
101.	027-051-022	TERRY A. BABB AND SANDRA BABB	SLO 87051 and SLO 87054 reflect the existence of a 1990 residence on this parcel. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
102.	027-121-004	B A BAXTER, TRUSTEE OF THE B A BAXTER FAMILY TRUST DATED JANUARY 9, 2014	SLO 91809 is a mobile home building record corresponding to this parcel and reflects the existence of a 1981 residence. SLO 87054 also reflects the existence of a 1981 residence on this parcel. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
103.	027-271-040	8585 CROSS CANYONS LIMITED PARTNERSHIP	SLO 91491 (at line 459) reflects that APN 027-271-017 is a parent parcel to this parcel. SLO 97008 is a residential building record that appears to correspond to parent parcel APN 027-271-017 and reflects the existence of a 1935 residence. Additional notes on this residential building record indicate that this residence remained in place as of 1977 and had an estimated remaining life of 14 years, which suggests that it remained in existence during the Prescriptive Period. This evidence of a residence prior to the Prescriptive Period on a parent parcel is

	APN	Plaintiff/Owner	Ruling
			attributable to this parcel. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.
104.	042-271-009	RANDY BAXLEY AND ELIZABETH BAXLEY	SLO 92029 is a miscellaneous building record corresponding to this parcel that documents a 4000-gallon steel tank built in 1950. The Court considers this to fall within the category of well equipment. Since this asset is not crossed out in this record, the Court infers it remained in existence during the Prescriptive Period. The Court notes that Defendants cite no specific evidence to counter Plaintiffs' showing. Based on this, it is reasonable to infer water usage during the Prescriptive Period and self-help is established as to this parcel.

ATTACHMENT 5

Category 5 parcels

	APN	Plaintiff/Owner
1.	015-053-035	GILBERT BENNETT WILSON AND BARBARA JEAN WILSON, TRUSTEES OF THE GIL AND BARBARA WILSON FAMILY TRUST OCTOBER 5, 1989 AND SUCCESSOR TRUSTEES (GILBERT DECEASED)
2.	015-072-036	JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN, TRUSTEES OF THE JAMES P. MCCAGHREN AND ADENA I. MCCAGHREN REVOCABLE LIVING TRUST
3.	015-083-055	ROBERT A. BRIENO[1]
4.	015-092-035	JOHN T. TUURI AND NICOLE K. TUURI
5.	015-092-055	CLAYTON ANTHONY GHEZA, AND MANDY MARIE TRAMMELL[2]
6.	015-113-021	THE MARVIN L. BARTLETT AND LESLIE A. BARTLETT LIVING TRUST DATED JULY 1, 2012, MARVIN A. AND LESLIE A. BARTLETT, TRUSTEES
7.	015-122-040	LINDA S. HESS AND THOMAS M. KEY
8.	015-133-015	EDWARD R. BURCH AND LINDA L. BURCH

[1] Defendants list the plaintiff/owner for this parcel as Melinda L. Cokely and note: "Plaintiffs' counsel has represented that ROBERT A. BRIENO purchased this property during the pendency of the litigation. The prior owner, Melinda L. Cokely, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

[2] Defendants list the plaintiff/owner for this parcel as John C. Calderon and note: "Plaintiffs' counsel has represented that CLAYTON ANTHONY GHEZA, AND MANDY MARIE TRAMMELL purchased this property during the pendency of the litigation. The prior owner, John C. Calderon, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

	APN	Plaintiff/Owner
9.	015-133-049	DAVID BONILLA AND BEATRIZ BONILLA[3]
10.	015-133-050[4]	MICHAEL W. KELLEY AND WENDY L KELLEY, TRUSTEES OF THE KELLEY FAMILY TRUST DATED JULY 30, 2001[5]
11.	015-143-024	JAMES A. FOSCHAAR AND CHERYL VERGARA FOSCHAAR
12.	015-143-041	LORENZO ORTEGA PEREZ, JR AND BRENDA PACHECO PEREZ
13.	015-144-007	YVONNE L. GREENAWAY, CAREY LEE GREENAWAY AND DEBRA LYNN BEALS, TRUSTEES OF THE GREENAWAY FAMILY TRUST DATED JULY 16,1997, AS AMENDED (EXEMPTION TRUST) (YVONNE DECEASED)
14.	015-171-010	BRYAN L. HUFFORD AND MARILYN E. HUFFORD
15.	015-181-057	RONALD RAMEY AND JENNIFER RAMEY[6]

[3] Defendants list the plaintiff/owner for this parcel as Michael W. Kelley And Wendy L. Kelley, Trustees Of The Kelley Family Trust Dated July 30, 2001. Defendants note: "Zimmer & Melton's motion to be relieved as counsel as to the Kelley landowner plaintiffs was granted as to parcels 015-133-049 (see July 8, 2021 Order at Exhibit A, ¶ 2)" and "Plaintiffs' counsel has represented that DAVID BONILLA AND BEATRIZ BONILLA purchased this property during the pendency of the litigation. The prior owners, Michael W. Kelley And Wendy L. Kelley, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[4] Per Defendants: "Defendants listed this parcel in Supplemental Attachment 2 (SA2), but on further review, move this it to Supplemental Attachment 4 (SA4) – Unrepresented Parcels – because Court granted Zimmer & Melton's motion to be relieved as counsel as to the Kelley landowner plaintiffs for APN 015-083-050 (see May 12, 2021 Order at Exhibit A, ¶ 83)."

[5] Defendants list the plaintiff/owner for this parcel as Walter Whitestine and note: "Plaintiffs' counsel has represented that Walter Whitestine purchased this property during the pendency of the litigation. The prior owners, Michael W. Kelley And Wendy L. Kelley, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[6] Defendants list the plaintiff/owner for this parcel as Paul A. Roide And Nezha S. Roide and note: "Plaintiffs' counsel has represented that RONALD RAMEY AND JENNIFER RAMEY purchased this property during the pendency of the litigation. The prior owners, Paul

	APN	Plaintiff/Owner
16.	015-201-034	HARLEY MILLER AND JANET JOY MILLER
17.	015-242-052	CHRISTOPHER L. SHAEFFER AND THERESA M. SHAEFFER
18.	015-243-054	ROBIN M. DUNN AND CODY R. DUNN[7]
19.	015-251-011	LEE E. MADDUX AND MARGIE L. MADDUX, LEE & MARGIE MADDUX
20.	015-251-037	MATTHEW MCGRIFF
21.	015-251-069	ROBERT D. VAN PELT AND KELLY A. VAN PELT
22.	015-293-042	DANIELLA M. MAGNANO
23.	015-324-014	DAVID ROMMEL WITT AND PENELOPE MARIE WITT, COTRUSTEES OF THE WITT FAMILY TRUST ESTABLISHED NOVEMBER 5, 1996
24.	015-324-028	CAROLYN J. ENDEMAN AND JEAN ELLEN JUSTINIAN: (CAROLYN ENDEMAN DECEASED)
25.	015-324-030	DOUGLAS BURCHELL AND LESLE BURCHELL
26.	017-081-009	GEORGE RONALD WHITE AND PRISCILLA D. WHITE AS TRUSTEES OF THE GEORGE AND PRISCILLA WHITE REVOCABLE TRUST, DATED NOVEMBER 24,1998

A. Roide And Nezha S. Roide, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[7] Defendants list the plaintiff/owner for this parcel as Frederick W. Trombly And Patricia A. Trombly and note: "Plaintiffs' counsel has represented that ROBIN M. DUNN AND CODY R. DUNN purchased this property during the pendency of the litigation. The prior owners, Frederick W. Trombly And Patricia A. Trombly[], are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner
27.	018-101-013	RICHARD A LENT AND JULIE L LENT, TRUSTEES OF THE LENT LIVING TRUST DATED JANUARY 29, 2013
28.	019-311-011	PAMELA BROCH
29.	019-351-004	MARK G. MITCHELL AND SANDY IVELICH
30.	019-351-020	JAMES L. NEBEL AND MARLANE P. NEBEL, TRUSTEES OF THE JAMES AND MARLANE NEBEL FAMILY TRUST DATED SEPTEMBER 22, 2015
31.	020-301-041	NORMAN KEITH FRANKLIN AND CYNTHIA ANN FRANKLIN, TRUSTEES OF THE NORMAN AND CYNTHIA FRANKLIN FAMILY TRUST 2020[8]
32.	020-351-016	ENNIS J. OGORSOLKA AND SUSAN L. OGORSOLKA, TRUSTEES OF THE OGORSOLKA FAMILY TRUST DATED SEPTEMBER 2, 1980
33.	025-422-012	PETER F. JOHNSTON AND JOCELYN JOHNSTON
34.	026-107-003	RICHARD K. SAURET, TRUSTEE OF THE RICHARD K. SAURET FAMILY TRUST DATED 1/21/91
35.	026-151-020	DAVID M. VOLK AND SANDRA S. VOLK, TRUSTEES OF THE 2008 VOLK FAMILY TRUST, DATED MARCH 28, 2008
36.	026-171-001	HEINZ NAEF AND URSINA NAEF AS TRUSTEES OF THE 1992 NAEF FAMILY TRUST
37.	026-183-028	DANIEL HELLMANN, SHANE HEILMANN AND KARFEE WESNEY[9]

[8] Defendants list the plaintiff/owner for this parcel as Norman Keith Franklin & Cynthia Ann Franklin.

[9] Defendants list the plaintiff/owner for this parcel as Francis P. Lagattuta And Mervi Lagattuta and note: "Plaintiffs' counsel has represented that ROBIN M. DUNN AND CODY R.

	APN	Plaintiff/Owner
38.	026-441-013	RANDAL REDBERG AND MELINDA REDBERG, TRUSTEES OF THE RANDAL AND MELINDA REDBERG REVOCABLE LIVING TRUST, DATED AUGUST 19, 2009
39.	026-441-014	RANDAL REDBERG AND MELINDA REDBERG, TRUSTEES OF THE RANDAL AND MELINDA REDBERG REVOCABLE LIVING TRUST, DATED AUGUST 19, 2009
40.	027-051-025	WALTER V. HOBBS AND ANDREA H. HOBBS
41.	027-071-010	JENNIFER SUE ROSE SONI, TRUSTEE OF THE JENNIFER ROSE SONI TRUST DATED JANUARY 31, 2014
42.	027-071-012	DALE A. EVENSON
43.	027-144-001	SCOTT ROY BRIGHAM AND SUSAN LEIGH BRIGHAM, TRUSTEES OF THE BRIGHAM FAMILY REVOCABLE LIVING TRUST DATED JANUARY 22, 1997
44.	027-144-002	SCOTT ROY BRIGHAM AND SUSAN LEIGH BRIGHAM, TRUSTEES OF THE BRIGHAM FAMILY REVOCABLE LIVING TRUST DATED JANUARY 22, 1997
45.	027-411-028	LOOMIS T-BALL COMPANY, LLC[10]

DUNN[] purchased this property during the pendency of the litigation. The prior owners, Frederick W. Trombly And Patricia A. Trombly, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[10] Defendants list the plaintiff/owner for this parcel as Richard K. Sauret, Trustee Of The Richard K. Sauret Family Trust Dated 1/21/91 and note: "Plaintiffs' counsel has represented that LOOMIS T-BALL COMPANY, LLC purchased this property during the pendency of the litigation. The prior owners, Richard K. Sauret, Trustee Of The Richard K. Sauret Family Trust Dated 1/21/91, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner
46.	033-011-021	DION J. O'CONNELL AND KELLY L. O'CONNELL, TRUSTEES OF THE O'CONNELL FAMILY TRUST, DATED FEBRUARY 5, 2008[11]
47.	033-011-025	WARREN H. FRANKEL AND KATHERINE M. FRANKEL, TRUSTEES OF THE FRANKEL REVOCABLE TRUST DATED MARCH 31, 1999
48.	033-051-033[12]	ANTHONY FERRARI, TRUSTEE OF TRUST B OF THE FERRARI FAMILY TRUST DATED JUNE 22, 1992, AND ANTHONY FERRARI, TRUSTEE OF TRUST B OF THE FERRARI FAMILY TRUST DATED JUNE 22, 1992, AND ANTHONY L. FERRARI AND GAYLE L. FERRARI, TRUSTEES OF THE FERRARI FAMILY TRUST DATED JULY 12, 2002[13]
49.	033-051-036	BERNARD LEWIS GEORG, TRUSTEE OF THE BERNARD LEWIS GEORG 1995 REVOCABLE TRUST, DATED MAY 26, 1995(BERNARD DECEASED)
50.	033-151-060	ALEXANDRA ELLE SCHOEPEL AND MARCI MICHELLE NORKIN

[11] Defendants list the plaintiff/owner for this parcel as Pat Fennell And Marilyn Fennell, Trustees Of The Pat Fennell Family Trust Under Agreement Dated March 30, 1995 and note: "Plaintiffs' counsel has represented that DION J. O'CONNELL AND KELLY L. O'CONNELL, TRUSTEES OF THE O'CONNELL FAMILY TRUST, DATED FEBRUARY 5, 2008 purchased this property during the pendency of the litigation. The prior owners, Pat Fennell And Marilyn Fennell, Trustees Of The Pat Fennell Family Trust Under Agreement Dated March 30, 1995, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[12] Per Defendants: "Defendants listed this parcel in Supplemental Attachment 2 (SA2), but on further review, move this it to Supplemental Attachment 4 (SA4) – Unrepresented Parcels – because Court granted Zimmer & Melton's motion to be relieved as counsel as to the Boyer landowner plaintiff for APN 033-051-033 (see May 12, 2021 Order at Exhibit A, ¶ 83)."

[13] Defendants list the plaintiff/owner for this parcel as David Ryan Boyer and note: "Plaintiffs' counsel has represented that ANTHONY FERRARI purchased this property during the pendency of the litigation. The prior owner, David Ryan Boyer, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

	APN	Plaintiff/Owner
51.	033-191-009	BERNARD LEWIS GEORG, TRUSTEE OF THE BERNARD LEWIS GEORG 1995 REVOCABLE TRUST, DATED MAY 26, 1995 (BERNARD DECEASED)
52.	033-191-018	SCOTT BARBER AND MELISSA BARBER, HUSBAND AND WIFE, AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP[14]
53.	033-281-024	TRACY HSUAN-CHUN LIU, TRUSTEE OF THE 2015 TRACY HSUAN-CHUN LIU LIVING TRUST, DATED JULY 21, 2015
54.	033-291-017	LEONA G. ORLICK, LESLIE G. ORLICK AND JULIE M. ORLICK (LESLIE ORLICK DECEASED)
55.	033-291-030	RONALD WILSON AND SHARON W. WILSON, TRUSTEES OF THE RONALD WILSON AND SHARON W. WILSON 1990 LIVING REVOCABLE TRUST DATED OCTOBER 31,1990 (RONALD DECEASED)
56.	033-331-019	FRANK J. ANDERSON AND KAREN A. ANDERSON, TRUSTEES OF THE FRANK AND KAREN ANDERSON LIVING TRUST
57.	034-071-023	STACY LEE MILLER
58.	034-131-027	GARY REICHARD AND MARY ANN REICHARD

[14] Defendants list the plaintiff/owner for this parcel as Dean C. B. Dawson And Betty J. Dawson, Trustees Of The Dawson Trust Dated November 4, 1991 and note: "Plaintiffs' counsel has represented that SCOTT BARBER AND MELISSA BARBER, HUSBAND AND WIFE, AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP purchased this property during the pendency of the litigation. The prior owners, Dean C. B. Dawson And Betty J. Dawson, Trustees Of The Dawson Trust Dated November 4, 1991, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner
59.	034-131-060	ANTHONY S. AGUEDA, JR. AND STEVEN J. AGUEDA, TRUSTEE OF THE STEVEN J. AGUEDA REVOCABLE LIVING TRUST DATED MAY 8, 2017 AND GORDON BRUCE BRISTOL, SR. AND BETTY LUCILLE BRISTOL, TRUSTEES OF THE GORDON BRUCE BRISTOL, SR. AND BETTY LUCILLE BRISTOL FAMILY TRUST DATED MARCH 12, 2002[15]
60.	035-031-010	CAROL SAMUEL AND DAVID A. SAMUEL, TRUSTEES OF THE SAMUEL FAMILY TRUST DATED DECEMBER 21, 2011
61.	035-031-044	JOSEPH R. D' ALESSIO AND ANITA E. SPECIALE, TRUSTEES OF THE D'ALESSIO SPECIALE FAMILY TRUST U/D/T DATED JUNE 11, 2014
62.	035-052-002	WARREN H. FRANKEL AND KATHERINE M. FRANKEL, TRUSTEES OF THE FRANKEL REVOCABLE TRUST DATED MARCH 31, 1999
63.	035-061-020	LSY HOLDINGS LLC[16]
64.	035-101-058	EDWARD JOSEPH BERNARD AND LINDA ANN BERNARD, TRUSTEES OF THE 2000 BERNARD FAMILY TRUST DATED SEPTEMBER 6, 2000

[15] Defendants list the plaintiff/owner for this parcel as Anthony S. Agueda, Jr., Steven J. Agueda And Lucille Betty Bristol Co-Trustees Of The Anthony Silveria Agueda And Lucille Clara Agueda Revocable Trust Of 1993 Dated March 9, 1993 As Amended And Restated May 30, 2001 And Further Amended By The Settlors By Amendment Dated May 19, 2006 And Further Amended By The Settlors By Amendment Dated March 24, 2008; And Anthony S. Agueda, Steven John Agueda, And Lucille Betty Bristol As Successor Trustees Of The Anthony Silvera Agueda Credit Shelter Trust Of 1993.

[16] Defendants list the plaintiff/owner for this parcel as Cynthia A. Vaughn and note: "Plaintiffs' counsel has represented that LSY HOLDINGS LLC[] purchased this property during the pendency of the litigation. The prior owner, Cynthia A. Vaughn, is the named Plaintiff in the litigation for this parcel and has not been dismissed from the action."

	APN	Plaintiff/Owner
65.	035-121-006	JEFFREY M. HOLTHOUSE AND LESLIE M. HOLTHOUSE, TRUSTEES OF THE JEFFREY AND LESLIE HOLTHOUSE REVOCABLE TRUST DATED MAY 19, 2010
66.	035-391-006	MARK C. HIRSCH AND JAMIE E. HIRSCH[17]
67.	037-301-013	H. KURTIS DIFFENBAUGH, TRUSTEE OF THE RANDALL L. DIFFENBAUGH 2009 IRREVOCABLE TRUST
68.	040-161-008	RODERICK L. CAREAGA AND MARGARET V. CAREAGA, AS TRUSTEES OF THE ROD AND MARGARET CAREAGA TRUST DATED JANUARY 15, 2015
69.	040-161-010	RODERICK L. CAREAGA AND MARGARET V. CAREAGA, AS TRUSTEES OF THE ROD AND MARGARET CAREAGA TRUST DATED JANUARY 15, 2015
70.	042-181-024	WAYNE WASZKIEWICZ AND DAWN WAISZKIEWICZ[18]
71.	042-241-005	LEROY JOHN GALLENSTEIN, TRUSTEE OF THE GALLENSTEIN LIVING TRUST DATED SEPTEMBER 23, 1997
72.	043-051-036	KURT M. BAUMAN AND PATRICIA A. BAUMAN, TRUSTEES OF THE KURT M. AND PATRICIA A. BAUMAN LIVING TRUST, DATED SEPTEMBER 16, 2010

[17] Defendants note: "Plaintiffs' counsel has represented that MARK C. HIRSCH AND JAMIE E. HIRSCH purchased this property during the pendency of the litigation. The prior owners, GREGG A. LARSON AND DEBORAH L. LARSON[], are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

[18] Defendants list the plaintiff/owner for this parcel as Gregory S. Keezer And Marina P. Keezer and note: "Plaintiffs' counsel has represented that WAYNE WASZKIEWICZ AND DAWN WAISZKIEWICZ purchased this property during the pendency of the litigation. The prior owners, Gregory S. Keezer And Marina P. Keezer, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner
73.	043-051-046	MARIA LORCA, TRUSTEE U/D/T DATED DECEMBER 29, 1997, F/B/O THE MARIA LORCA FAMILY TRUST
74.	043-051-047	MARIA LORCA, TRUSTEE U/D/T DATED DECEMBER 29, 1997, F/B/O THE MARIA LORCA FAMILY TRUST
75.	043-051-057	JOSEPH SULSE AND NANCY E. SULSE. TRUSTEES OF THE JOSEPH & NANCY SULSE 2000 REVOCABLE TRUST, DATED MARCH 3. 2000
76.	043-074-003	DEANNA J. NOBLE TRUSTEE OF THE DEANNA J. NOBLE LIVING TRUST DATED JAN 9 2009
77.	043-211-054[19]	MOLLYANNA RUSSELL, AND CORT PALMER, TRUSTEE OF THE R.S. PALMER AND E.B. PALMER TRUST DATED 11/17/86
78.	043-211-068	MOLLYANNA RUSSELL, AND CORT PALMER, TRUSTEE OF THE R.S. PALMER AND E.B. PALMER TRUST DATED 11/17/86
79.	043-241-001	JAMES H. SCHERZ, TRUSTEE OF THE JAMES H. SCHERZ AND MARY JANE SCHERZ REVOCABLE TRUST, U/D/T DATED MAY 13, 2005
80.	043-241-003	SCOTT A. MCMILLAN AND TANI M. MCMILLAN[20]
81.	043-241-014	JAMES H. SCHERZ, TRUSTEE OF THE JAMES H. SCHERZ AND MARY JANE SCHERZ REVOCABLE TRUST, U/D/T DATED MAY 13, 2005

[19] The parties state: "Revised APN to 043-211-069. Plaintiffs previously identified this APN by its parent APN (043-211-054). The Parties agree that the current APN (043-211-069) should be identified."

[20] Defendants list the plaintiff/owner for this parcel as Gordon R. Edmonds And Stacy A. Edmonds and note: "Plaintiffs' counsel has represented that SCOTT A. MCMILLAN AND TANI M. MCMILLAN purchased this property during the pendency of the litigation. The prior owners, Gordon R. Edmonds And Stacy A. Edmonds, are the named Plaintiffs in the litigation for this parcel and have not been dismissed from the action."

	APN	Plaintiff/Owner
82.	043-291-029	BRIAN BLACK AND LINDA ANITA BLACK
83.	015-133-025[21]	MICHAEL W. KELLEY AND WENDY L. KELLEY, TRUSTEES OF THE KELLEY FAMILY TRUST DATED JULY 30, 2001
84.	035-201-014[22]	BERTRAM L. NIELSEN AND JANET E. NIELSEN, TRUSTEES OF THE BERTRAM LIND NIELSEN AND JANET ELIZABETH NIELSEN FAMILY TRUST DATED NOVEMBER 14, 1995.
85.	027-411-007[23]	LONATHAN GREER AND MELANIE GREER

[21] The parcel was listed in Attachment 2 of the JPSOD by SP but the parties subsequently indicated: "After further meet and confer, Plaintiffs and Defendants agree that this parcel belongs in the Unrepresented Parcels category. The Parties note that this parcel – 015-133-025 – was identified on Zimmer & Melton's Motion to be Relieved as Counsel but inadvertently omitted on the Court's Orders. The other two Kelley parcels – 015-133-049 and 015-133-050 – were identified on the Court's Orders (see May 12, 2021 Order at Exhibit A, ¶ 83; July 8, 2021 Order at Exhibit A, ¶ 2)."

[22] This parcel was listed in Attachment 3 of the JPSOD by SP but the parties subsequently indicated: "After further meet and confer, Plaintiffs and Defendants agree that this parcel belongs in the Unrepresented Parcels category." Defendants further note: "The Court granted Zimmer & Melton's motion to be relieved as counsel as to these landowner plaintiffs for APN 015-083-055 (see July 8, 2021 Order at Attachment A, ¶ 15). The typographic error is corrected here and the correct APN 035-201-014 is reflected in this chart."

[23] Per Defendants: "Defendants listed this parcel in Supplemental Attachment 3(b)(i) (SA3(b)(i)), but upon further agreement with Plaintiffs, move this parcel is placed in the Unrepresented Parcels category."

EXHIBIT I

Filed
August 21, 2026
Clerk of the Court
Superior Court of CA
County of Santa Clara
2014-1-CV-265039
By: fbryant

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

STEINBECK VINEYARDS #1, LLC, et al., Plaintiffs, vs. COUNTY OF SAN LUIS OBISPO, et al., Defendants.	Case No.: 2014-1-CV-265039 (Consolidated with Case No. 2014-1-CV-269212) **ORDER RE PHASE 6 TRIAL**
ROBERT EIDEMILLER, Plaintiff, vs. COUNTY OF SAN LUIS OBISPO, et al., Defendants.	Department 19 Hon. Theodore C. Zayner Action Filed: November 25, 2013

I. INTRODUCTION

On November 25, 2013, Plaintiffs Steinbeck Vineyards #1, LLC, et al. ("Plaintiffs") commenced this action to quiet title to the overlying groundwater rights appurtenant to their

respective properties and to obtain a final determination of all claims adverse to those rights. The City of El Paso de Robles ("Paso Robles"), San Miguel Community Services District ("San Miguel"), Atascadero Mutual Water Company ("Atascadero"), Templeton Community Services District ("Templeton"), and the County of San Luis Obispo County (the "County") (collectively "Defendants") asserted affirmative defenses which included claimed Pueblo and Treaty rights. On April 25, 2025, the parties entered into a stipulation agreeing that Defendants' Pueblo and Treaty rights were the only remaining affirmative defenses or adverse claims asserted in this action, following five (5) prior phased trials, and that these claims would be tried in Phase 6, the final phase of the quiet title action. On April 28, 2025, the Court signed an Order confirming Defendants' Pueblo and Treaty rights were the only affirmative defenses or adverse claims remaining to be decided, and set the Phase 6 trial for January 5, 2026. Trial was later continued to August 17, 2026.

II. DISPOSITION OF PHASE 6 ISSUES

A. The County's Pueblo and Treaty Rights Claims

On April 12, 2017, the County filed its Second Amended Answer which asserted a Twenty-First Affirmative Defense of Pueblo Water Rights and Twenty-Second Affirmative Defense of Treaty Water Rights. On June 5, 2025, the County of San Luis Obispo confirmed that it would not pursue its Twenty-First and Twenty-Second Affirmative Defenses based upon claimed Pueblo and Treaty rights.

B. Atascadero's Pueblo and Treaty Rights Claims

On April 12, 2017, Atascadero filed its Verified Second Amended Answer which asserted a Twentieth Affirmative Defense of Pueblo Water Rights and a Twenty-First Affirmative Defense of Treaty Water Rights. On March 6, 2026, Plaintiffs and Atascadero Mutual Water Company subsequently executed and filed the *Stipulation Between Plaintiffs and Atascadero Mutual Water Company Re Phase 6 Trial and Plaintiffs' Discovery*. Atascadero agreed that it was not claiming Pueblo or Treaty rights as an affirmative defense or adverse claim in this action and

that it would be judicially estopped from presenting evidence in the Phase 6 trial to support any such claim.

C. Templeton's Pueblo and Treaty Rights Claims

On April 12, 2017, Templeton filed its Second Amended Answer which asserted a Twelfth Affirmative Defense of Pueblo Water Rights and a Thirteenth Affirmative Defense of Treaty Water Rights. On June 11, 2025, Plaintiffs and Templeton Community Services District executed and filed the *Stipulation Between Plaintiffs and Templeton Community Services District Re Phase 6 Trial and Plaintiffs' Discovery*. Templeton agreed that it was not claiming Pueblo or Treaty rights as an affirmative defense or adverse claim in this action and that it would be judicially estopped from presenting evidence in the Phase 6 trial to support any such claim.

D. Paso Robles' Pueblo and Treaty Rights Claims

On February 3, 2017, Paso Robles filed its Second Amended Answer to Plaintiffs' Second Amended Complaint which asserted a Nineteenth Affirmative Defense of Pueblo Water Rights and a Twentieth Affirmative Defense of Treaty Water Rights. On April 20, 2026, Plaintiffs filed a Motion for Summary Judgment or, in the Alternative, Summary Adjudication, as to Paso Robles and requested a determination that Paso Robles could not establish its Pueblo or Treaty rights claims as a matter of law. On June 17, 2026, Paso Robles filed the *City of El Paso De Robles' Notice of Withdrawal of Its Nineteenth (Pueblo Water Right) and Twentieth (Treaty Water Right) Affirmative Defenses*, thereby withdrawing its adverse claims of Pueblo and Treaty rights. Plaintiffs' motion against the City of El Paso de Robles was then taken off calendar by the Court as moot, as no Pueblo or Treaty adverse claim remained for determination by the motion.

E. San Miguel's Pueblo and Treaty Rights Claims

On April 12, 2017, San Miguel filed its Second Amended Answer which asserted a Nineteenth Affirmative Defense of Pueblo Water Rights and a Twentieth Affirmative Defense of Treaty Water Rights. On April 20, 2026, Plaintiffs filed a Motion for Summary Judgment or, in

the Alternative, Summary Adjudication, as to San Miguel and requested a determination that San Miguel could not establish its Pueblo or Treaty rights claims as a matter of law. The Court issued a Tentative Ruling on Plaintiffs' motion for summary judgment on July 14, 2026. In its Tentative Ruling, the Court granted summary adjudication of San Miguel's Twentieth Affirmative Defense regarding Treaty rights, but denied summary adjudication of San Miguel's Nineteenth Affirmative Defense regarding Pueblo rights. Neither Plaintiffs nor San Miguel contested the Tentative Ruling, which the Court adopted as its final ruling in the Court's July 27, 2026 *Order Re Plaintiffs' Motion for Summary Judgment or in the Alternative Summary Adjudication*.

On July 27, 2026, San Miguel filed *San Miguel Community Services District's Notice of Withdrawal of Nineteenth Affirmative Defense (Pueblo Water Right)*. The notice expressly withdrew San Miguel's remaining Nineteenth Affirmative Defense as set forth in its Second Amended Answer. San Miguel further represented that the withdrawal, together with the Court's order granting summary adjudication of its Twentieth Affirmative Defense (Treaty Water Right), left no issues remaining for the Phase 6 trial and rendered further discovery and pretrial proceedings moot.

F. Vacation of Trial Date

On July 30, 2026 the Court held a chambers video conference which was attended by Plaintiffs, San Miguel and Paso Robles to discuss San Miguel's withdrawal and the status of Phase 6 issues. Paso Robles objected to a lack of sufficient notice provided by Plaintiffs and to the need for a Phase 6 order.

The Court vacated the August 17, 2026 trial date as no contested issues of fact or law remained to be presented at trial and decided by the Court.

III. CONCLUSION

The Court set Phase 6 of Plaintiffs' quiet title action to resolve Defendants' Affirmative Defenses for Pueblo and Treaty rights. The County confirmed in writing that it was not asserting claims for Pueblo or Treaty rights. Atascadero and Templeton entered into stipulations with

Plaintiffs agreeing they were not claiming Pueblo or Treaty rights. Paso Robles filed a notice of withdrawal of its Pueblo and Treaty rights affirmative defenses. The Court grated summary adjudication against San Miguel's Treaty right affirmative defense and San Miguel withdrew its Pueblo rights affirmative defense. With all Pueblo and Treaty claims withdrawn or adjudicated, no contested issues remained for the Phase 6 trial and the trial date was vacated by the Court.

IV. ORDER

For the foregoing reasons, IT IS HEREBY ORDERED:

1. The Phase 6 trial is vacated prior to the commencement of trial, as there are no remaining contested issues to be tried. Trial is therefore vacated as moot. The Court has made no findings of fact or law at trial.

2. This Phase 6 Order will be incorporated into a Final Judgment concluding this quiet title action. All orders following the prior trial phases remain in effect and shall be incorporated as appropriate into the Final Judgment.

3. The parties shall meet and confer and attempt in good faith to prepare a mutually agreed form of Final Judgment to be submitted to the Court. If the parties are unable to reach agreement on form or content, each side shall submit a proposed form of Judgment within 30 days of this Order.

4. No further hearings are set by the Court at this time. The Court may consider further hearings, as and if deemed necessary and appropriate.

DATED: August 21, 2026

HON. THEODORE C. ZAYNER
Judge of the Superior Court

PROOF OF SERVICE

Steinbeck v. County of San Luis Obispo, et al.,
Santa Clara Superior Court Case No. 1-14-CV-265039

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Best Best & Krieger, 2855 E. Guati Road, Ontario, CA 91761. On September 21, 2026, I served the following document(s):

WATER SUPPLIERS AND LOCAL AGENCIES' [PROPOSED] JUDGMENT

☒ by posting the document(s) listed above to the One Legal website with e-service on all parties listed on the following Service List.

and on the following party:

Deanna J. Noble Trustee Of The Deanna J. Noble Living Trust Dated Jan 9 2009

9055 Sunstorm Lane
Creston, CA 93432-9791

☒ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed on the attached Service List (specify one):

Deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☒ Placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on September 21, 2026, at Ontario, California.

Adriana Cisneros

Adriana Cisneros

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW
300 SOUTH GRAND AVENUE, 25TH FLOOR
LOS ANGELES, CALIFORNIA 90071

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