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10 Attorneys for Plaintiff  
11 EL DORADO IRRIGATION DISTRICT

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 COUNTY OF EL DORADO

14 EL DORADO IRRIGATION DISTRICT,

15 Plaintiff,

16 v.

17 ALL PERSONS INTERESTED IN THE  
18 MATTER OF PROCEEDINGS LEADING  
19 UP TO AND INCLUDING THE  
20 APPROVAL AND AUTHORIZATION TO  
21 EXECUTE A CONTRACT FOR THE  
22 CONVEYANCE OF NON-PROJECT  
23 WATER BETWEEN THE UNITED  
24 STATES AND EL DORADO IRRIGATION  
25 DISTRICT (WARREN ACT CONTRACT  
26 NO. 06-WC-20-3317), THE CONTRACT,  
27 AND RELATED MATTERS,

28 Defendants.

CASE NO. PC 20160365

**SUMMONS**

**EXEMPT from filing fees per Govt.  
Code § 6103.**

1                   **NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE**  
2 **AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND NOT**  
3 **LATER THAN SEPTEMBER 16, 2016, WHICH IS TEN (10) DAYS OR MORE AFTER**  
4 **COMPLETION OF THE PUBLICATION OF THIS SUMMONS. READ THE**  
5 **INFORMATION BELOW.**

6                   **AVISO! USTED HA SIDO DEMANDADO. EL TRIBUNAL PUEDE**  
7 **DECIDIR CONTRA USTED SIN AUDIENCIA A MENOS QUE USTED RESPONDA NO**  
8 **MAS TARDE QUE EL DIA 16 DE SEPTIEMBRE 2016, QUE ES DIEZ (10) DIAS O MAS**  
9 **DESPUES DE TERMINACION DE PUBLICACION DE ESTA CITACION JUDICIAL.**  
10 **LEA LA INFORMACION QUE SIGUE.**

11                   ALL PERSONS INTERESTED IN THE MATTER OF PROCEEDINGS  
12 LEADING UP TO AND INCLUDING THE APPROVAL AND AUTHORIZATION TO  
13 EXECUTE A CONTRACT FOR THE CONVEYANCE OF NON-PROJECT WATER  
14 BETWEEN THE UNITED STATES AND EL DORADO IRRIGATION DISTRICT (WARREN  
15 ACT CONTRACT NO. 06-WC-20-3317), THE CONTRACT, AND RELATED MATTERS:

16                   Plaintiff has filed a civil complaint against you. You may contest the validity of  
17 the above matter by appearing and filing with the Court a written responsive pleading to the  
18 complaint not later than September 16, 2016, which is ten (10) days or more after the completion  
19 of the publication of this summons. Your pleading must be in the form required by the California  
20 Rules of Court. Your original pleading must be filed in this Court with proper filing fees and  
21 proof that a copy thereof was served on Plaintiff's attorney. Unless you so respond, your default  
22 will be entered upon Plaintiff's application, and the Plaintiff may apply to the Court for the relief  
23 demanded in the complaint. Persons who contest the legality or validity of the matter described  
24 below and in the complaint will not be subject to punitive action, such as wage garnishment or  
25 seizure of their real or personal property.  
26  
27  
28

1  
2 DETAILED SUMMARY OF THE MATTER THAT PLAINTIFF SEEKS TO  
3 VALIDATE:

4 Warren Act Contract No. 06-WC-20-3317 (“Warren Act Contract”) enables the  
5 District to introduce some of its own water supplies into Folsom Reservoir (a federal facility) and  
6 then to withdraw the water using the District’s existing raw water intake facilities at Folsom  
7 Reservoir. The District will use the water to be introduced and withdrawn from Folsom  
8 Reservoir under the Warren Act Contract (equal to approximately 58 percent of the District’s  
9 current average annual potable water demand) to serve municipal and industrial customers within  
10 its territorial boundaries, in the El Dorado Hills area.

11 The water supplies involved in the contract include 17,000 acre-feet from the  
12 direct diversion of water in the South Fork American River at the Kyburz diversion dam, and  
13 from water stored in Caples Lake, Silver Lake, and Lake Aloha. These water supplies were  
14 granted to the District by the State Water Resources Control Board in Permit 21112. Permit  
15 21112 requires that in order for the District to utilize the water supplies granted in that right, the  
16 District must first obtain a contract with the United States Bureau of Reclamation to store the  
17 water in, and divert it from, Folsom Reservoir. The Warren Act Contract at issue in this  
18 proceeding achieves that requirement. The United States is authorized to enter into such  
19 agreements by the Warren Act. (43 U.S.C.A. §§ 523 et seq.)

20 The District filed this validation action to obtain a judicial declaration of the  
21 validity of Resolution No. 2016-024 of the District’s Board of Directors approving the Warren  
22 Act Contract and authorizing its execution by the Acting General Manager, of the Warren Act  
23 Contract itself, of the District’s compliance with the California Environmental Quality Act  
24 (“CEQA”) associated with those actions, and of all proceedings leading up to and related to those  
25 actions. The District seeks a judgment from the Court that, among other things, all proceedings in  
26 connection with Warren Act Contract, including the proceedings for the resolution, the resolution  
27 itself, CEQA compliance, and the Warren Act Contract itself, were, are and will be valid, legal  
28 and binding, and were, are and will be in conformity with the applicable provisions of all laws

1 and enactments at any time in force or controlling upon such proceedings, whether imposed by  
2 law, constitution, charter, ordinance or statute.

3 **YOU MAY SEEK THE ADVICE OF AN ATTORNEY IN ANY MATTER**  
4 **CONNECTED WITH THE COMPLAINT OR THIS SUMMONS. SUCH ATTORNEY**  
5 **SHOULD BE CONSULTED PROMPTLY SO THAT YOUR PLEADING MAY BE FILED**  
6 **OR ENTERED WITHIN THE TIME REQUIRED BY THIS SUMMONS.**

7 **SI USTED DESEA SOLICITAR EL CONSEJO DE UN ABOGADO EN**  
8 **ESTE ASUNTO, DEBERIA HACERLO INMEDIATAMENTE. TAL ABOGADO**  
9 **DEBERIA SER CONSULTADO PRONTO PARA QUE SU REPUESTA ESCRITA**  
10 **PUEDA SER REGISTRADA DENTRO DEL TIEMPO REQUERIDO POR ESTA**  
11 **CITACION JUDICIAL.**

12 The name and address of the Court is (El nombre y direccion del Tribunal es):


13 Superior Court of the State of California  
14 County of El Dorado  
15 Cameron Park Branch  
16 3321 Cameron Park Drive  
Cameron Park, California 95682

17 The names and address of Plaintiff's attorneys are (el nombre y direccion del  
18 abogado del demandate es):

19 Thomas D. Cumpston, Acting General Manager  
20 Brian D. Poulsen, Jr., Acting General Counsel  
21 El Dorado Irrigation District  
2890 Mosquito Road  
Placerville, California 95667

22  
23  
24 Dated: AUG 11 2016



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26 Clerk Tania G. Ugrin-Capoblanco  
27 (Actuario)  
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