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Attorneys for Plaintiff
California Department of Water Resources

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

CALIFORNIA DEPARTMENT OF WATER
RESOURCES,

Plaintiff,

v.

ALL PERSONS INTERESTED IN THE
MATTER of the Authorization of Delta
Program Revenue Bonds, the Issuance, Sale
and Delivery of Delta Program Revenue Bonds
Series A, Series B and Subsequent Series, the
Adoption of the Delta Program Revenue Bond
General Bond Resolution and the Supplemental
Resolutions Providing for the Issuance of Delta
Program Revenue Bonds, and the Proceedings
Related Thereto

Defendants.

Case No. 34-2020-00283112

SUMMONS

Action Filed: August 6, 2020

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

Calendar Preference per CCP § 867

FILED/ENDORSED

AUG 27 2020

By: G. Toda
DEPUTY CLERK

RECEIVED
AUG 25 2020
L&N

BY FAX

1 NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
2 WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND NOT LATER THAN ^{Oct. 30, 2020} ~~[TBD]~~,
3 ~~2020~~, WHICH IS TEN (10) DAYS OR MORE AFTER COMPLETION OF THE
4 PUBLICATION OF THIS SUMMONS. READ THE INFORMATION BELOW.

5 AVISO! USTED HA SIDO DEMANDADO. EL TRIBUNAL PUEDE DECIDIR
6 CONTRA USTED SIN AUDIENCIA A MENOS QUE USTED RESPONDA NO MAS TARDE
7 QUE EL DIA ^{Oct. 30, 2020} ~~[TBD]~~, 2020, QUE ES DIEZ (10) DIAS O MAS DESPUES DE TERMINACION
8 DE PUBLICACION DE ESTA CITACION JUDICIAL. LEA LA INFORMACION QUE
9 SIGUE.

10 ALL PERSONS INTERESTED IN THE MATTER OF THE AUTHORIZATION OF
11 DELTA PROGRAM REVENUE BONDS, THE ISSUANCE, SALE AND DELIVERY OF
12 DELTA PROGRAM REVENUE BONDS SERIES A, SERIES B AND SUBSEQUENT
13 SERIES, THE ADOPTION OF THE DELTA PROGRAM REVENUE BOND GENERAL
14 BOND RESOLUTION AND THE SUPPLEMENTAL RESOLUTIONS PROVIDING FOR THE
15 ISSUANCE OF DELTA PROGRAM REVENUE BONDS, AND THE PROCEEDINGS
16 RELATED THERETO:

17 Plaintiff has filed a civil complaint against you. You may contest the validity of the above
18 matter by appearing and filing with the Court a written responsive pleading to the complaint not
19 later than ^{Oct. 30, 2020} ~~[TBD]~~, 2020, which is ten (10) days or more after the completion of the publication of
20 this summons. Your pleading must be in the form required by the California Rules of Court.
21 Your original pleading must be filed in this Court with proper filing fees and proof that a copy
22 thereof was served on Plaintiff's attorney. Unless you so respond, your default will be entered
23 upon Plaintiff's application, and the Plaintiff may apply to the Court for the relief demanded in
24 the complaint. Persons who contest the validity of the matter described below and in the
25 complaint will not be subject to punitive action, such as wage garnishment or seizure of their real
26 or personal property.

27 ///
28 ///

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

3 The California Department of Water Resources (Department) operates facilities which
4 store, transport and deliver water to urban and agricultural water agencies throughout the State.
5 Since 1960, the Department has approved, planned and constructed a system of water storage and
6 transportation and power generation facilities (the Project). Currently, Project water is conveyed
7 across the Sacramento-San Joaquin Delta through the natural channels of the Delta formed by the
8 confluence of the Sacramento and San Joaquin Rivers, as those channels have been modified over
9 the past 150 years.

10 In recent years, the Department has undertaken to develop a comprehensive plan for the
11 effective delivery of Project water across the Delta. The Department is currently undertaking
12 environmental review and related planning and design activities regarding potential new Delta
13 conveyance facilities. The facilities under review would transport water from new intake points
14 on the Sacramento River at the northern edge of the Delta through an underground tunnel running
15 below the natural waterways of the Delta to export facilities at the southern edge of the Delta.

16 Separately, the Department has established a proposed revenue bond financing to finance
17 the cost and expense of the environmental review, planning, engineering and design, and if and
18 when appropriate, the acquisition and construction of Delta water conveyance facilities. On
19 August 6, 2020, the Department adopted bond resolutions authorizing the issuance of revenue
20 bonds for those purposes. Under the bond resolutions, bonds for construction cannot be issued
21 unless specific conditions precedent are satisfied, which include regulatory and statutory
22 requirements regarding the physical and environmental aspects of approving, constructing, and
23 operating Delta conveyance facilities.

24 On August 6, 2020, the Department filed a validation action to confirm the legal validity
25 of the Department's proposed bond financing. A validation action is a judicial proceeding in
26 which a governmental agency, like the Department, can confirm the validity of a proposed
27 financial transaction before it commits to or undertakes the transaction. The Department's
28 validation complaint, the bond resolutions, and a copy of this Summons are available on the

1 Department's internet website at: <https://water.ca.gov/Programs/State-Water-Project/Delta->
2 [Conveyance/Public-Information.](https://water.ca.gov/Programs/State-Water-Project/Delta-)

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 OR
6 ENTERED WITHIN THE TIME REQUIRED BY THIS SUMMONS.

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

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

12 Superior Court of the State of California, County of Sacramento
13 Gordon D. Schaber Sacramento County Courthouse
14 720 9th Street
15 Sacramento, CA 95814

16 CASE NUMBER (Número del Caso): 34-2020-00283112

17 The name, address, and telephone number of Plaintiff's attorneys is (el nombre, la
18 dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene
19 abogado, es):

20 Michael Weed
21 ORRICK, HERRINGTON & SUTCLIFFE LLP
22 400 Capitol Mall, Suite 3000
23 Sacramento, California 95814
24 Telephone: (916) 447-9200
25 Facsimile: (916) 329-4900

26
27
28
G. TODA

Superior Court Clerk

29 Dated: _____
30 (Fecha)
31 (Delegado)

32 Clerk, by: _____, Deputy
33 (Actuario)

34 [SEAL]
35 [SELLO]

