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E-FILED  
11/23/2020  
Superior Court of California  
County of Fresno  
By: I. Herrera, Deputy

7 Attorneys for TRANQUILLITY IRRIGATION DISTRICT

8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF FRESNO, CENTRAL DIVISION

11

12 TRANQUILLITY IRRIGATION DISTRICT,  
a California irrigation district,

Case No. 20CECG03315

13

Plaintiff,

**SUMMONS**

14

v.

**(CITATION JUDICIAL)**

15

16 ALL PERSONS INTERESTED IN THE  
MATTER of the Authorization of the Contract  
Between the United States and Tranquillity  
17 Irrigation District Providing for Project Water  
Service From Delta Division and Facilities  
18 Repayment, Contract No. 14-06-200-701-A-  
LTR1-P, and the Proceedings Related Thereto,

**[Code Civ. Proc. §§ 860 et seq.]**

19

Defendants.

**[Calendar Preference per Code of Civil  
Procedure § 867]**

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**Case Filed: November 10, 2020**

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22 **NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU**  
23 **WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND NOT LATER THAN**  
24 **JANUARY 29, 2021. READ THE INFORMATION BELOW.**

25 **AVISO! USTED HA SIDO DEMANDADO. EL TRIBUNAL PUEDE DECIDIR CONTRA**  
26 **USTED SIN AUDIENCIA A MENOS QUE USTED RESPONDA NO MAS TARDE QUE**  
27 **EL DIA 29 DE ENERO DE 2021. LEA LA INFORMACION QUE SIGUE.**

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1 **ALL PERSONS INTERESTED IN THE MATTER OF THE AUTHORIZATION OF THE**  
2 **CONTRACT BETWEEN THE UNITED STATES AND TRANQUILLITY IRRIGATION**  
3 **DISTRICT PROVIDING FOR PROJECT WATER SERVICE FROM DELTA DIVISION**  
4 **AND FACILITIES REPAYMENT, CONTRACT NO. 14-06-200-701-A-LTR1, AND THE**  
5 **PROCEEDINGS RELATED THERETO (THE “CONVERSION CONTRACT”):**

6 Plaintiff has filed a civil complaint against you. You may contest the validity of the above  
7 matter by appearing and filing with the Court a written responsive pleading to the complaint not  
8 later than January 29, 2021, which is ten (10) or more days after the completion of the publication  
9 of this summons in the *Fresno Business Journal*. Your pleading must be in the form required by  
10 the California Rules of Court. Your original pleading must be filed in this Court with proper filing  
11 fees and proof that a copy thereof was served on Plaintiff’s attorneys. Unless you so respond,  
12 your default will be entered upon Plaintiff’s application, and the Plaintiff may apply to the Court  
13 for the relief demanded in the complaint. Persons who contest the validity of the matter described  
14 below and in the complaint will not be subject to punitive action, such as wage garnishment or  
15 seizure of their real or personal property.

16 **DETAILED SUMMARY OF THE MATTER THAT PLAINTIFF SEEKS TO**  
17 **VALIDATE:**

18 Tranquillity Irrigation District (“District”) is a California irrigation district located in  
19 Fresno County, California. Pursuant to applicable statutes and other authorities, the District is  
20 authorized to perform various duties and functions related to providing irrigation water to  
21 landowners within the District’s boundaries. As pertinent here, the District is authorized to enter  
22 into contracts with and cooperate with the United States for irrigation purposes. Beginning in  
23 1963, the District has so contracted for water delivery with the United States Department of  
24 Interior, Bureau of Reclamation (“Reclamation”) for delivery of water through the federal Central  
25 Valley Project (“CVP”) water reclamation dams, canals, and other facilities, and more specifically,  
26 through the Delta-Mendota Canal. The District uses the contracted CVP water to provide  
27 irrigation water to its customers in the District.

28 On December 16, 2016, the United States Congress enacted the Water Infrastructure

1 Improvements for the Nation Act, Pub.L. 114-322 (2016) (the “WIIN Act”). Pursuant to Section  
2 4011(a) of the WIIN Act, in 2019, the District requested that Reclamation convert its existing  
3 water supply contract to a repayment contract under Section 9(d) of the 1939 Reclamation Project  
4 Act (53 Stat. 1187) (the “1939 Act”). The District and Reclamation entered into negotiations for  
5 the Conversion Contract beginning on May 2019. In July 2020, Reclamation posted the  
6 unexecuted negotiated Conversion Contract on its internet website for a 60-day public comment  
7 period. After the comment period ended, Reclamation provided the unexecuted Conversion  
8 Contract to the District for the approval by the District’s Board of Directors and authorization for  
9 signature. The Conversion Contract will provide continued water delivery to the District and its  
10 customers and shall remain in force unless or until the District does not make the annual payments  
11 for the delivered water. A copy of the Conversion Contract is attached to the District’s complaint  
12 as Exhibit 2.

13 The District publicly noticed its special Board of Directors (the “Board”) meeting agenda  
14 on its website and on-site at the District, notifying the public of the Board’s consideration of the  
15 Conversion Contract to be held on October 14, 2020. At the public Board meeting on October 14,  
16 2020, the District’s Board approved the Conversion Contract and authorized its execution and  
17 delivery to Reclamation, and related actions in furtherance of executing the Conversion Contract.  
18 A copy of the Resolution is attached in the District’s complaint as Exhibit 1.

19 The District brought this validation action to confirm the validity of the Conversion  
20 Contract and the proceedings related thereto. The validation complaint, the accompanying  
21 exhibits, and a copy of this Summons are available on the District’s offices and its internet website  
22 at:

23 25390 W. Silveria St, Tranquillity, CA 93668

24 <http://trqid.com/wp/>

25 Attorneys for the District, identified below, may also be contacted to obtain these documents.

26 **YOU MAY SEEK THE ADVICE OF AN ATTORNEY IN ANY MATTER CONNECTED**  
27 **WITH THE COMPLAINT OR THIS SUMMONS. SUCH ATTORNEY SHOULD BE**  
28 **CONTACTED PROMPTLY SO THAT YOUR PLEADING MAY BE FILED OR**

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**ENTERED WITHIN THE TIME REQUIRED BY THIS SUMMONS.**  
**SI USTED DESEA SOLICITAR EL CONSEJO DE UN ABOGADO EN ESTE ASUNTO,**  
**DEBERIA HACERLO IMMEDIATAMENTE. TAL ABOGADO DEBERIA SER**  
**CONSULTADO PRONTO PARA QUE SU REPUESTA ESCRITA PUEDA SER**  
**REGISTRADA DENTRO DEL TIEMPO REQUERIDO POR ESTA CITACION**  
**JUDICIAL.**

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

Fresno County Superior Court  
B.F. Sisk Courthouse  
1130 O Street  
Fresno, California 93721-2220

CASE NUMBER (Número del Caso): 20CECG03315

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

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Facsimile: 559.432.5620

Dated: 11/23/2020  
(Fecha)

Clerk, by: I. Herrera, Deputy  
(Secretario) (Adjunto)

[SEAL]  
[SELLO]

