

# ASSEMBLY CALIFORNIA STATE LEGISLATURE

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### **Assembly Bill 1390: Streamlined Groundwater Adjudication**

#### **Summary**

AB 1390 will streamline the process as to how a court determines water rights within a groundwater basin.

#### **Background**

Last year the California legislature passed and the Governor signed into law comprehensive groundwater management legislation. One of the issues left undone in the package of the three groundwater bills was taking steps to improve our groundwater adjudication system.

The Governor in his signing message indicated interest in streamlining the adjudication process. Currently this process is longer and less efficient than it could be if certain procedural rules are established.

Specifically AB 1390 will:

- Clarify the court procedures applicable to comprehensive groundwater adjudications in order to reduce the time and improve the efficiency of these actions. This does not mean groundwater adjudications will be fast and simple, but that the process will be significantly more efficient.
- Encourage early settlement and avoid unduly disrupting local groundwater planning efforts.
- Three of the most significant improvements are: 1) a preliminary hearing to ensure that a comprehensive adjudication of groundwater rights is appropriate; 2) clear rules on proper service of process to all overlying landowners; and 3) early disclosures of groundwater use.
- Other improvements address designation of adjudication actions as complex, phasing of the litigation, efficient identification of groundwater basin boundaries, assistance to the court of a special master, among other changes.

#### **Purpose**

AB 1390 will make our groundwater rights adjudication system more efficient. The legislation will be focused on procedural matters and not address any substantive principles of water law or local groundwater planning under the Sustainable Groundwater Management Act.

Last Updated March 18, 2015

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