

August 21, 2023

**Via E-mail and U.S. Mail**

Keene Simonds, Executive Officer  
Local Agency Formation Commission  
San Diego County  
1550 Fifth Avenue, Suite 725  
San Diego California 92103  
Email: [Keene.simonds@sdcounty.ca.gov](mailto:Keene.simonds@sdcounty.ca.gov)

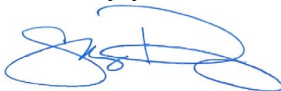
**Re: NOTICE OF INTENT TO FILE PETITION FOR WRIT OF MANDATE; AND  
CIVIL COMPLAINT FOR INVERSE CONDEMNATION AND  
DECLARATORY RELIEF  
[CALIFORNIA ENVIRONMENTAL QUALITY ACT CASE]**

Dear Mr. Simonds:

Please take notice that, pursuant to Public Resources Code section 21167.5, San Diego County Water Authority (SDCWA), on August 21, 2023, intends to file a Petition for Writ of Mandate and Civil Complaint for Inverse Condemnation and Declaratory Relief (Petition) in San Diego County Superior Court under the provisions of the California Environmental Quality Act (CEQA) against the San Diego County Local Agency Formation Commission (LAFCO).

The Petition will seek a writ of mandate commanding LAFCO to set aside and vacate LAFCO's approval of Resolution No. 23-11 and Resolution No. 23-12 and prohibiting LAFCO from issuing, granting, adopting, executing or taking any further action in connection with the Reorganization applications of Fallbrook Public Utility District and Rainbow Municipal Water District until LAFCO has taken such actions as may be necessary to comply fully with the requirements of CEQA.

Sincerely yours,



Shaye Diveley

## **PROOF OF SERVICE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Alameda, State of California. My business address is 1999 Harrison Street, 9th Floor, Oakland, CA 94612.

On August 21, 2023, I served true copies of the following document(s) described as **NOTICE OF INTENT TO FILE PETITION FOR WRIT OF MANDATE; AND CIVIL COMPLAINT FOR INVERSE CONDEMNATION AND DECLARATORY RELIEF [CALIFORNIA ENVIRONMENTAL QUALITY ACT CASE]** on the interested parties in this action as follows:

Keene Simonds, Executive Officer  
Local Agency Formation Commission  
San Diego County  
1550 Fifth Avenue, Suite 725  
San Diego California 92103  
Email: [Keene.simonds@sdcounty.ca.gov](mailto:Keene.simonds@sdcounty.ca.gov)

**BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the practice of Meyers Nave 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.

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent from e-mail address [mbender@meyersnave.com](mailto:mbender@meyersnave.com) to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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

Executed on August 21, 2023, at Oakland, California.



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Melissa Bender