

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF KERN
SUMMONS — REVERSE VALIDATION PROCEEDING
(Code Civ. Proc., §§ 860 *et seq.*, 861, 861.1; Gov. Code, § 53759)

Case No. 26CUB02915
Dept.: Div. H
Judge: Hon. Bernard C. Barmann, Jr.

BEAR VALLEY SPRINGS ASSOCIATION, Plaintiff and Petitioner, v. BEAR VALLEY COMMUNITY SERVICES DISTRICT, ALL PERSONS INTERESTED IN THE MATTER OF RESOLUTION NO. 26-29 ADOPTING NEW NON-POTABLE AND EFFLUENT WATER RATES FOR FISCAL YEARS 2026-27 THROUGH 2030-31, Defendants and Respondents.

TO DEFENDANTS BEAR VALLEY COMMUNITY SERVICES DISTRICT, ALL PERSONS INTERESTED IN THE MATTER OF RESOLUTION NO. 26-29 ADOPTING NEW NON-POTABLE AND EFFLUENT WATER RATES FOR FISCAL YEARS 2026-27 THROUGH 2030-31, AND THEIR ATTORNEYS OF RECORD:

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN THE TIME STATED BELOW. READ THE INFORMATION BELOW.

¡AVISO! USTED HA SIDO DEMANDADO. EL TRIBUNAL PODRÍA RESOLVER EN SU CONTRA SIN TOMAR SU DECLARACIÓN SI USTED NO PRESENTA UNA RESPUESTA DENTRO DEL PLAZO INDICADO A CONTINUACIÓN. LEA LA SIGUIENTE INFORMACIÓN.

DETAILED SUMMARY. Plaintiff and Petitioner Bear Valley Springs Association (“Association”) has filed a reverse validation action in the above-entitled court challenging the non-potable (lakefill) and effluent (recycled) water rate provisions of Resolution No. 26-29, adopted by the Bear Valley Community Services District (“District”) Board of Directors on March 26, 2026, effective April 1, 2026. The Resolution increases the non-potable rate from \$4.61 to \$4.76 per hundred cubic feet (“HCF”) effective April 1, 2026, escalating to \$7.76 per HCF by April 1, 2030, and increases the effluent rate from \$4.16 to \$5.38 per HCF effective April 1, 2026, escalating to \$9.42 per HCF by April 1, 2030. The Association, the sole customer of both the non-potable and effluent water service, challenges the Resolution as invalid on the following grounds:

1. The non-potable rate is calculated by subtracting treatment costs from District's potable water rate, a methodology that incorporates costs of District's potable water system not attributable to non-potable service, causing revenues to exceed the funds required to provide non-potable service and causing the rate to exceed the proportional cost of non-potable service attributable to the Association, in violation of California Constitution article XIII D, section 6, subdivision (b)(1) and (b)(3).

2. The effluent rate allocates a full twelve months of wastewater treatment cost to Association's five- to six-month seasonal use of effluent water, causing revenues to exceed the funds required to provide effluent service and causing the rate to exceed the proportional cost of effluent service attributable to Association, in violation of California Constitution article XIII D, section 6, subdivision (b)(1) and (b)(3).

This action challenges only the non-potable and effluent rate provisions of Resolution No. 26-29. Association seeks a judicial determination invalidating the challenged rate provisions, a writ of mandate directing the District to set aside those provisions and adopt a compliant cost-of-service methodology, declaratory relief, injunctive relief, a refund or credit of amounts overpaid since April 1, 2026, and an award of attorneys' fees.

YOUR RIGHT TO CONTEST. You may contest the legality or validity of the matter described above by filing a written answer to the complaint with the Superior Court of California, County of Kern, 1215 Truxtun Avenue, Bakersfield, CA 93301, no later than the response deadline of **SEPTEMBER 21, 2026**. (Code Civ. Proc., § 861.1.) Please provide a courtesy copy of the answer to Plaintiff's counsel.

NO PUNITIVE ACTION. Persons who contest the legality or validity of this matter will not be subject to punitive action, such as wage garnishment or seizure of their real or personal property. (Code Civ. Proc., § 861.1.)

YOU MAY SEEK THE ADVICE OF AN ATTORNEY IN ANY MATTER CONNECTED WITH THE COMPLAINT OR THIS SUMMONS. SUCH ATTORNEY SHOULD BE CONSULTED PROMPTLY SO THAT YOUR ANSWER MAY BE FILED WITHIN THE TIME REQUIRED BY THIS SUMMONS.

USTED PUEDE SOLICITAR EL ASESORAMIENTO DE UN ABOGADO RESPECTO DE CUALQUIER ASUNTO RELACIONADO CON LA DEMANDA O CON ESTA CITACIÓN JUDICIAL. SE RECOMIENDA CONSULTAR A DICHO ABOGADO A LA MAYOR BREVEDAD PARA QUE SU CONTESTACIÓN PUEDA PRESENTARSE DENTRO DEL PLAZO ESTABLECIDO EN ESTA CITACIÓN.

The name and address of the court is (*El nombre y dirección de la corte es*):

Superior Court of California, County of Kern
Metropolitan Division Justice Building
1215 Truxtun Avenue
Bakersfield, California 93301

The names, address and phone number of the plaintiff's attorneys are (*Los nombres, la dirección y el número de teléfono de los abogados del demandante son*):

HANSON BRIDGETT LLP
CLAIRE H. COLLINS, SBN 233890
ccollins@hansonbridgett.com
ROSSLYN HUMMER, SBN 190615
bhummer@hansonbridgett.com
MICHAEL C. GASBARRO, SBN 339267
mgasbarro@hansonbridgett.com
601 W. 5th Street, Suite 300
Los Angeles, California 90071
Telephone: (213) 395-7620
Facsimile: (213) 395-7615

Published in the *Tehachapi News* August 26, 2026, September 2, 2026, and September 9, 2026.