
THIRD READING

Bill No: AB 1466
Author: Hart (D)
Amended: 7/17/25 in Senate
Vote: 21

SENATE NATURAL RES. & WATER COMMITTEE: 5-2, 7/8/25

AYES: Limón, Allen, Hurtado, Laird, Stern

NOES: Seyarto, Grove

SENATE JUDICIARY COMMITTEE: 11-2, 7/15/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener

NOES: Niello, Valladares

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 50-20, 6/4/25 - See last page for vote

SUBJECT: Groundwater adjudication

SOURCE: Author

DIGEST: This bill, in actions to adjudicate groundwater rights, allows a court to exempt or treat separately claimants who extract or divert minor quantities of water; requires a party's initial disclosure to additionally include information relating to agricultural use; and requires a court to request the groundwater sustainability agency (GSA) provide a technical report that quantifies and describes the groundwater uses of parties that have not otherwise appeared before the court.

ANALYSIS:

Existing law:

- 1) Enacts the Sustainable Groundwater Management Act (SGMA), which requires GSAs to sustainably manage groundwater in high- or medium-priority basins by 2040 pursuant to a groundwater sustainability plan (GSP). (Water Code (WAT) §10720 *et seq.*)
- 2) Requires a GSP to include a description of the characteristics of the aquifer system underlying the basin including historical data, groundwater levels, water quality, subsidence, and projected supply and demand; measurable objectives; overdraft mitigation; and monitoring protocols; amongst others. (WAT §10727.2)
- 3) Outlines process and scope for a comprehensive adjudication of a groundwater basin. (Code of Civil Procedure (CCP) §830 *et seq.*).
- 4) Provides that in a comprehensive adjudication, the court may determine all groundwater rights of a basin, whether based on appropriation, overlying right, or other basis of right, and use of storage space in the basin. (CCP §834)
- 5) Authorizes a court, if the court finds that claims of right to extract or divert only minor quantities of water (not more than five acre-feet (af) of water per year) would not have a material effect on the groundwater rights of other parties, to exempt those claimants but a person who is exempted may elect to continue as a party to the comprehensive adjudication. (CCP §833(d))
- 6) Requires the plaintiff to take certain actions to serve notice regarding the comprehensive adjudication, including mailing, by registered or certified mail, return receipt requested, the notice, compliant, and form answer to all holders of fee title to real property in the basin. (CCP §836)
- 7) Requires an action against a GSA that is located in a basin that is being adjudicated to be coordinated and consolidated with the adjudication, as appropriate, if the action concerns the adoption, substance, or implementation of a GSP, or the GSA's compliance with the timelines in SGMA. (CCP §838).
- 8) Requires a party, within six months of appearing in a comprehensive adjudication, to serve an initial disclosure on the other parties that includes certain information including, amongst others, quantity of water extracted from

the basin by the party, type of water rights claimed by the party, and any claims for increased or future use of groundwater. (CCP §842)

- 9) Authorizes a court to enter a judgement in an adjudication action for a basin required to have a GSP if the court determines the judgment will not substantially impair the ability of a GSA, the State Water Board, or DWR to comply with SGMA and to achieve sustainable groundwater management, as specified. (CCP §850(b)).

This bill:

- 1) Authorizes a court to treat claimants that extract or divert minor quantities of water (not to exceed five acre-feet of water per year) separately from other parties to the comprehensive adjudication by separately processing and entering judgments with respect to those persons.
- 2) Requires the initial disclosure required of parties that appear in a comprehensive adjudication to also include, if the groundwater was used for agricultural use, the type of crops grown and the number of acres irrigated during the previous 10 years.
- 3) Presumes that the information is accurate if the party is claiming less than an average annual extraction of 100 acre feet per year, or an amount of average historical extraction of water deemed reasonable by the court. If a party challenges the submitted information, that party has the burden of proof.
- 4) Requires the court, in adjudications in basins in which a GSP has been approved by DWR, to request that the GSA provide a technical report quantifying and describing the groundwater use of parties that have not otherwise appeared before the court.

Background

Groundwater 101. Groundwater is a critical source of supply that meets more than 40 percent of water demand in an average year and more than 60% of demand during drought years. There are three types of groundwater rights: overlying, appropriative, and prescriptive. Due to lack of regulation for the management of groundwater for most of California's history, many groundwater basins in California are in a state of overdraft.

SGMA. In 2014, to address overdraft and other adverse effects of excessive pumping, the Legislature passed SGMA, a statewide framework for groundwater management. Under SGMA, a GSA has broad management authority of the groundwater basin or basins under their jurisdiction including defining the basin's or basins' sustainable yield, limiting groundwater extraction, and imposing fees. GSAs are authorized to perform any act necessary to carry out the purposes of SGMA, including adopting rules, regulations, and ordinances and developing the GSP.

A GSP is a roadmap for how a basin will reach SGMA's sustainability goal for that basin and ensure that the basin is operated within its "sustainable yield," as determined by the GSA. SGMA defines "sustainable yield" as the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result.

Adjudications. A groundwater adjudication is when parties ask a court to resolve conflicts over groundwater rights. An adjudication is initiated when one or more groundwater pumpers files a civil action asking the court to intervene to determine groundwater rights and/or limit pumping to a basin's "safe yield" (the amount of groundwater pumped that is equal to the average replenishment rate of a groundwater basin).

Groundwater adjudications can cover an entire basin, a portion of a basin, or a group of basins, and may include non-basin areas. Groundwater rights are defined for the overlying landowners and appropriators within the adjudicated area. The court decides who is allowed to extract groundwater, how much they are allowed to extract, and designates a watermaster who ensures the adjudicated areas are managed in accordance with the court ruling.

Determining who has groundwater rights that could be affected by an adjudication and the scope of those rights is difficult and can be a lengthy process; adjudications typically take more than a decade to resolve. Identifying and noticing every party that may have a right, completing technical work and sorting through disagreements over this technical work, and determining historic groundwater use which could affect the scope of one's rights are all factors that can contribute to increasing the time and expense of an adjudication.

See Senate Natural Resources and Water Committee analysis for additional background information.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 8/26/25)

City of Ridgecrest
Cleaneearth4kids.org
Community Alliance With Family Farmers
Cuyama Valley Community Association
Fox Canyon Groundwater Management Agency
Indian Wells Valley Groundwater Authority

OPPOSITION: (Verified 8/26/25)

Almond Alliance
Alta Irrigation District
Arvin-Edison Water Storage District
Association of California Water Agencies
Buena Vista Water Storage District
Cal Chamber
California Citrus Mutual
California Farm Bureau Federation
California Fresh Fruit Association
California Municipal Utilities Association
California Tomato Growers Association
Central Delta-Mendota Groundwater Sustainability Agency
Central Kings Groundwater Sustainability Agency
East Turlock Subbasin Groundwater Sustainability Agency
Indian Wells Valley Water District
Kern County Farm Bureau
Kern Non-districted Land Authority Groundwater Sustainability Agency
Milk Producers Council
Nisei Farmers League
Searles Valley Minerals
Semitropic Water Storage District
Water Blueprint for the San Joaquin Valley Advocacy Fund
West Turlock Subbasin Groundwater Sustainability Agency
Western Growers Association
Western Plant Health Association

ARGUMENTS IN SUPPORT: According to the author, “Assembly Bill 1466 streamlines groundwater adjudication, reduces unnecessary litigation costs, and protects the implementation of sustainability plans that safeguard California’s water resources. The bill allows small and disadvantaged water users—whose

pumping does not substantially impact the basin—to request an exemption from the full adjudication process. It also requires the local groundwater sustainability agency to report on water use by all pumpers in the basin, helping ensure that small and disadvantaged communities are represented throughout the adjudication. AB 1466 strengthens California’s efforts to manage and sustain its groundwater resources.”

ARGUMENTS IN OPPOSITION: Agricultural groups and water agencies, writing in opposition, argue that the technical report required by this bill would “place a substantial burden on GSAs” and “would distract them from their primary mission of groundwater management.” Specifically, the organizations argue that the data required by the technical report may not be readily available and the costs of producing the report could be significant.

ASSEMBLY FLOOR: 50-20, 6/4/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Hart, Irwin, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Stefani, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Bains, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Arambula, Harabedian, Krell, Nguyen, Ramos, Michelle Rodriguez, Blanca Rubio, Soria, Valencia

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