

1 GREGORY D. TOTTON  
 District Attorney  
 2 LAUREL MCWATERS (PC/M/TRACT ASSIGNMENT)  
 Deputy District Attorney (UNLAWFUL DETAINER)  
 3 5720 Ralston Street, Suite 200 (ECONOMIC)  
 4 Ventura, California 93003 (STANDARD)  
 Telephone: (805) 662-1780 (UNINSURED MOTORIST)  
 (TRACT COORD TO NOTIFY)  
 5 READ THE VENTURA COUNTY  
 LOCAL RULES THAT GOVERN  
 COMPLIANCE WITH FAST TRACT  
 6 Attorneys for Plaintiff ASSIGNED COURT 42

VENTURA  
 SUPERIOR COURT  
**FILED**  
 JAN 08 2008

BY: MICHAEL J. PLANET  
 Executive Officer and Clerk  
 Deputy

M. CLEMENT

SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF VENTURA

11	THE PEOPLE OF THE STATE OF CALIFORNIA	56-2008-00310564-CU-MC-VTA
12		)
13	Plaintiff,	) COMPLAINT FOR CIVIL
14	vs.	) PENALTIES AND
15		) PERMANENT INJUNCTION
16	VINTAGE PRODUCTION CALIFORNIA, LLC, a	)
17	Delaware limited liability company, and OCCIDENTAL	)
18	OIL AND GAS HOLDING CORPORATION, a	)
19	California corporation,	)
20		)
21	Defendants.	)

19 Plaintiff, The People of the State of California, by and through Gregory D. Totten, District  
 20 Attorney of the County of Ventura, State of California, is informed and thereon alleges:

**VENUE AND JURISDICTION**

22 1. Gregory D. Totten, as District Attorney of the County of Ventura, State of California,  
 23 acting to protect the public and the environment from health and safety hazards, brings this action in  
 24 the name of the People of the State of California pursuant to 5650.1 of the Fish and Game Code. By  
 25 this action, plaintiff seeks civil penalties for defendant's violations of sections 5650 of the Fish and  
 26 Game Code.

27 2. Fish and Game Code section 5650.1 authorizes the district attorney to bring a civil  
 28 action on behalf of the People of the State of California to seek civil penalties for the violations of  
 29 the water pollution provisions contained in Fish and Game Code section 5650.

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1 residuary product of petroleum to pass into the waters of the State of California in violation of  
2 section 5650 of the Fish and Game Code. Said violations include the following sixteen petroleum  
3 based spills:

- 4 a. A spill of injection water which flowed into an unnamed tributary in Devil's  
5 Canyon on or about November 25, 2005;
- 6 b. A spill of crude oil which flowed into an unnamed tributary in Devil's  
7 Canyon on or about November 27, 2005;
- 8 c. A spill of crude oil and produced water which flowed into an unnamed  
9 tributary of Devil's Canyon on or about December 9, 2005;
- 10 d. A spill of produced water which flowed into unnamed tributary of Devil's  
11 Canyon on or about January 3, 2006;
- 12 e. A spill of produced water which flowed into Madriano Creek on or about  
13 February 6, 2006;
- 14 f. A spill of crude oil which spilled into Four Forks Creek on or about April 1,  
15 2006;
- 16 g. A spill of crude oil which flowed into an unnamed tributary to Devil's  
17 Canyon on or about April 4, 2006;
- 18 h. A spill of crude oil which flowed into Padre Juan Canyon Creek on or about  
19 April 4, 2006;
- 20 i. A spill of crude oil which flowed into Grimes Canyon Creek on or about  
21 April 18, 2006;
- 22 j. A spill of crude oil and produced water which flowed into an unnamed  
23 tributary to on or about April 28, 2006;
- 24 k. A spill of injection water which flowed into an unnamed tributary to Devil's  
25 Canyon on or about May 24, 2006;
- 26 l. A spill of injection water which flowed into an unnamed tributary to Devil's  
27 Canyon on or about May 26, 2006;
- 28 m. A spill of injection water which flowed into an unnamed tributary to Devil's  
29 Canyon on or about May 29, 2006;

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- n. A spill of crude oil which flowed into Ice Box Canyon Creek on or about December 29, 2006;
- o. A spill of crude oil which flowed into Tar Creek on or about January 30, 2007;
- p. A spill of crude oil which flowed into Tar Creek on or about February 6, 2007;

9. The unlawful conduct and acts of the defendants in violation of the law, as described above, demonstrate the necessity and legal basis for granting injunctive relief and imposition of civil penalties pursuant to section 5650.1 of the Fish and Game Code.

**PRAYER**

WHEREFORE, plaintiff prays for judgment as follows:

- 1. That pursuant to section 5650.1 of the Fish and Game Code, defendant be ordered to pay a civil penalty of Twenty-Five Thousand Dollars (\$25,000) for each violation thereof according to proof.
- 2. That plaintiff recover its costs of suit herein, including costs of investigation.
- 3. That the Court require defendant to provide restitution to all government agencies that have expended resources in responding to, cleaning up, and investigating defendant's violations of law.
- 4. That plaintiff recover all actual damages to the fish, plant, bird and animal life caused by the violations of law described above.
- 5. That plaintiff recover all costs incurred in this action.
- 6. For such other and further relief as the court may deem just and proper.

GREGORY D. TOTTEN, District Attorney  
County of Ventura, State of California

Dated: 12/26/07

By: *Laurel McWaters*  
LAUREL MCWATERS  
Deputy District Attorney