

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

In re: Draft Order WR 2009-00XX-DWR) TESTIMONY OF TIMOTHY
) GRUNSKY
)
Mark and Valla Dunkel) APN 162-090-01
_____)

My name is Tim Grunsky and I am President of Woods Irrigation Company. The Woods Irrigation Company was formalized between 1910 and 1911, but delivery of water dates back earlier than that. It diverts water under its pre-1914 water right and other rights of some of the shareholders of the Company. Woods Irrigation Company has been diverting water and supplying it to farmers each year since at least 1910.

I was asked by counsel for Mr. And Mrs. Dunkel to provide evidence to confirm that their property is within the service area of Woods Irrigation Company ("Woods IC") and actually receives water delivery from Woods IC.

Exhibit 2A is the San Joaquin County Assessor's parcel map printed from the Assessor's webpage. This Exhibit shows parcel 162-090-01 which I understand is owned by the Dunkels. As you can see from the map, the Dunkel parcel is actually abutting one of the main irrigation canals of Woods.

Exhibit 2B is a document in San Joaquin County dated September 29, 1911. It is an Agreement to provide water from the Woods IC to Jesse Lee Wilhoit and Mary L. Douglass. Wilhoit and Douglass were relatives and heirs of the previous owners, the Woods. Although the document has the exact legal descriptions of the lands covered by the Agreement, it is easier to simply look at the attached map to see what lands were within the area to which Woods IC would supply water. Near the bottom of the map we can see designated as "Lot 9" the same property as is currently owned by the Dunkels. This shows that from 1911 the parcel was within the Woods service area, and in fact abutted the irrigation canal from at least that date.

This document was provided to me by counsel for the Woods IC. I have seen it a number of times and am familiar with the terms and conditions therein. Counsel for the Dunkels informed me that it has been presented before to this Board in the hearing on the Term 91 diverters in 2003 and accepted into evidence.

I have also reviewed the Woods billing records for the past few years and have confirmed that the owners of this parcel have been billed for water provided.

From all of this I can state without condition, that the Dunkel property receives water via the Woods IC system. The Woods IC's pre-1914 right is sufficient to cover the property, if it does not have a riparian, its own pre-1914, or other water right.