

Farwell, Jane@Waterboards

From: Water <water@mountlassen.com>
Sent: Wednesday, December 03, 2014 11:18 AM
To: Tauriainen, Andrew@Waterboards; Buckman, Michael@Waterboards
Cc: Little, Shannon@Wildlife; Paul Minasian
Subject: STANFORD VINA DRAFT CDO HEARING
Attachments: Comments to Stipulation.PDF

RUMIANO FARMS, a California general partnership.
P.O. BOX 277
VINA, CA 96092
Email: water@mountlassen.com

**COMMENTS TO THE STATE
WATER RESOURCES CONTROL
BOARD AND STANFORD VINA
RANCH IRRIGATION COMPANY
STIPULATION**

STANFORD VINA DRAFT CDO
HEARING
2014

Date: December 8,

Time: 9:00

A.M.
Carlos Mejia, Staff Counsel
Office of Chief Counsel
State Water Resources Control Board
carlos.mejia@waterboards.ca.gov

Rumiano Farms hereby submits comments to the Stipulation entered into between the State Water Resources Control Board Division of Water Rights Prosecution Team and Stanford Vina Ranch Irrigation Company (SVRIC). Rumiano Farms is not aware of, and does not have an Order Approving Stipulation, signed by the Executive Director. Additionally, there has been no circulation of an Order delaying any pertinent dates in this matter signed by the Executive Director. The Executive Director has not approved the Stipulation and the Department of Fish and Wildlife, SWRCB Prosecution Team, and SVRIC did not meet the November 24, 2014 submission deadline. The October 24, 2014 Notice Of Public Hearing had instructions for submissions to the SWRCB which stated,

“Each party shall submit to the State Water Board **three (3)** paper copies and one electronic copy of each of its exhibits. With its exhibits, each party must submit a completed Exhibit Identification Index. Each party shall also serve a copy of each exhibit and the exhibit index on every party on the service list. A statement of service with manner of service indicated shall be filed with each party’s exhibits.” With today’s, December 3, 2014, email from Michael Buckman Senior Environmental Scientist

Hearings Unit Chief, Division of Water Rights, State Water Resources Control Board, the submission rules changed and it is now claimed that submissions must, “Please submit the Exhibit Identification Index to the State Water Board in either Microsoft Word or Excel format.” Rumianos’ submissions met the requirements of those stated in the Notice Of Public Hearing. Rumianos’ electronic submission is in a readable format used by the SWRCB.

Rumiano Farms is not a party to the Stipulation, does not agree to the Stipulation, and along with the California Department of Fish and Wildlife is not bound by the Stipulation. In no way should it be construed that the Executive Director cannot approve of a stipulation between SVRIC and SWRCB with objections.

Following are some objections to the Stipulation.

1. Pages 3 and 4 of the Stipulation at paragraphs 16 through 20 references an October 22, 2014 Complaint filed in Sacramento Superior Court by SVRIC. **Comment:** The Complaint has not been heard nor have misrepresentations made within it.
2. Page 5 of the Stipulation at, Paragraph 3. Cease and Desist Order, subparagraph b. **Comment:** SVRIC’s president and SVRIC’s legal counsel are unlawfully and improperly agreeing to relinquish privileged and confidential corporate records to the State Water Resources Control Board and The State Water Resources Control Board is unlawfully and improperly seeking and obtaining privileged and confidential corporate records.
3. Page 7 of the Stipulation at, Paragraph 20. State Water Board Is Not Liable, the last sentence of the paragraph. **Comment:** Mike Wallace, and SVRIC’s legal counsel do not represent all landowners in SVRIC or the rights held by landowners in SVRIC and as such cannot enter into a stipulation on those landowners’ behalf.

Sincerely,

DATED:

KEITH RUMIANO

1 RUMIANO FARMS, a California general partnership.
P.O. BOX 277
2 VINA, CA 96092
3 Email: water@mountlassen.com
4

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7 **BOARD AND STANFORD VINA**
8 **RANCH IRRIGATION COMPANY**
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10 STANFORD VINA DRAFT CDO
11 HEARING

Date: December 8, 2014
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12 Carlos Mejia, Staff Counsel
13 Office of Chief Counsel
14 State Water Resources Control Board
15 carlos.mejia@waterboards.ca.gov
16 /

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26 DATED: 12-3-14

27 

28 KEITH RUMIANO