



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Executive Office

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Arnold Schwarzenegger
Governor

May 24, 2010

Ms. Jennifer L. Spaletta
Herum\Crabtree Attorneys
2291 West March Lane, Suite. B100
Stockton, CA 95207

Dear Ms. Spaletta:

CONTINUANCE RESPONSE

The State Water Resources Control Board (State Water Board) hearing team received your letters of May 12, 2010. The letters request that your clients Eddie Vierra Farms, LLC, Dino Del Carlo, and RDC Farms, Inc., be allowed to intervene in the Cease and Desist Order (CDO) hearing for the Woods Irrigation Company (Woods); that the hearing be continued until at least August 2010 to accommodate your maternity leave; and that all landowners in the Woods service area receive individual notice. The letters express concern that Eddie Vierra Farms, Inc. specifically, and other landowners in general could be prejudiced by evidence or determinations concerning their rights in the Woods hearing. The State Water Board declines to continue the CDO hearing or to allow late intervention of your clients at this point.

The Woods CDO hearing will not bind non-parties to the hearing. Whether landowners who receive water through Woods would be otherwise impacted by the proceeding will depend upon the terms of an order either issuing or not issuing a CDO against Woods. The Hearing Officers may, if appropriate or necessary, hold open the hearing to allow for submission of additional evidence or to allow for participation of additional parties.

If the hearing is held open and re-noticed for the participation of additional potential parties, then the hearing team will not schedule such additional hearing before August 2010 in order to accommodate your maternity leave.

Sincerely,

Walt Pettit
Board Member
Hearing Officer

cc: See Next Page

cc: NELLY MUSSI AND RUDY M. MUSSI
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