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Attorney for
Woods Irrigation District

13 BEFORE THE STATE WATER RESOURCES CONTROL BOARD

14
15 IN THE MATTER OF THE
16 RECONSIDERATION OF ORDER WR
2011-0005

**JOINT PETITION TO CLARIFY SCOPE
OF PROCEEDINGS AND REMOVE
FROM PROCEEDINGS LANDOWNERS
NOT RECEIVING WATER FROM
WOODS IRRIGATION COMPANY**

1 Spaletta Law Client List:

2 R.D.C. FARMS, INC.

3 RONALD & JANET DEL CARLO

4 EDDIE VIERRA FARMS, LLC

5 DIANNE E. YOUNG

6 BERNIECE SILVA TR ET AL.

7 LARRY AND DONETTE D~~o~~ALONZO TR

8 RENZO AND EVELYN MENCONI

9 PATRICK J & PATRICIA KENNEDY

10 MARCHINI LAND CO.

11 LILLIAN MAZZANTI SURVIVORS TRUST

12 JOHN ROBERT SANGUINETTI

13 SINGH FARMS INC

14 KELLY PELLEGGI, TRUSTEE

15 DINO AND NICOLE DEL CARLO

16 MARY PEREIRA COELHO TR

17 RELM PROPERTIES, LLC

18 MARIE PETERS TR ET AL.

19 MUSSI AG

20 ANTONIOLLI FAMILY LTD PTP

21 ARIANA ANTONIOLLI TR

22 RONNIE AND JANET DEL CARLO TR

23 GEORGE AND PAMELA VIERRA

24 CURTIS GRUNSKY

25 HELEN COSTA TR ET AL.

26 KEVEN AND DENISE JONES

27 VICKY PIERINI

28 LARRY VIERRA ET AL.

29 TIMOTHY AND LYNN GRUNSKY

30 EVO AND ANGELA DEL CARLO

31 MARY PERRY

32 MICHAEL VIERRA

33 SCHMIDT HIGHWAY 4 RANCH LLC

34 LORRAINE DEL SOLDATO-SWANY AND LORETTA MOULDING

35 ISONE INC

36 NATHAN MUSSI

37 EMILY MARIE CABRAL

38 PATRICIA HAMM, TRUSTEE, LOUIS MELLO TR AND HELEN BALCAO TR

39 JOHN T. BERTILACCHI ET AL.

40 RICHARD KLEIN

41 MANUEL RODGERS

42 JUDITH BALCAO TR ET AL.

43 JUDITH BALCAO TR

44 PATRICIA BOWLES ET AL.

45 JACK KLEIN TRUST PTP

46 ROBINSON DIVERSIFIED FARMS, LP

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HEATHER ROBINSON TANAKA
HONKER LAKE RANCH LP
PAK, YONG KIL & YOUNG SUN C/O CELLI RANCHES
A ROSSI INC
ANDREW M. HARRAGON TR ET AL.
AUGUST & LILLIAN TR MAZZANTI
MARIO JAQUES TR
RICHARD AND VINCENT MARCHINI
RICHARD AND DEBBIE MARCHINI TR
LINDA A. LEHMANN-KITZMILLER C/O MARCHINI LAND CO PTP
JOHN E. AND DIXIE L. BRASS TRUST C/O MARCHINI LAND CO PTP

Neumiller & Beardslee Client List:
RUDY M MUSSI INVESTMENT LP ET AL.
LORRY MUSSI TR ET AL.
LORY C MUSSI INVESTMENT LP
ELYSE RODGERS VIEIRA AND ELYSE RODGERS VIEIRA SEPARATE PROPERTY TR
ELYSE RODGERS VIEIRA SEPARATE PROPERTY TR
CECIL J. & SANDRA J. RODGERS
RUDY M. & TONI MUSSI ET AL.

1 R.D.C. Farms, Inc., et al. (collectively, "Landowners") and Woods Irrigation Company
2 petition the Board to clarify the scope of proceedings and remove unnecessary landowners from
3 the Board's reconsideration proceedings on Order WR 2011-0005.

4 In Order WR 2011-0005, the Board issued a cease-and-desist order ("CDO") against
5 Woods Irrigation Company ("Woods"). Although the order adjudicated the water rights of
6 Landowners and others that receive water through Woods, the Board did not allow any of these
7 landowners to participate in the proceedings leading up to the order. The Board's sole purpose in
8 ordering the reconsideration of Order WR 2011-0005 is to allow the landowners that receive
9 water through the Woods facilities to participate in the CDO proceedings. As petitioners
10 understand the scope of the reconsideration hearing, it is not intended to address the water right
11 claims or diversion rights of any lands that do not divert or receive water through the Woods
12 facilities. Many of these lands are nonetheless included on the mailing list for the reconsideration
13 proceedings.

14 A list of the lands and landowners that do not receive water through the Woods facilities
15 is attached hereto as Exhibit A. (See Ruiz Declaration.)

16 Petitions request that the Board issue an order

- 17 1. Clarifying that the reconsideration proceedings do not concern the water rights of any
18 lands that do not receive water through the Woods facilities, and
- 19 2. Removing the lands/owners listed on Exhibit A from the proceedings.

20 The Board has authority to remove these landowners to promote the orderly and prompt
21 conduct of the hearing under Government Code section 11511.5(b)(12).

22 Respectfully submitted,

23 Dated: December 15, 2014

24 SPALETTA LAW PC

25 By:

26 
27 JENNIFER L. SPALETTA
28 Attorney for R.D.C. Farms, Inc., et al.

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Dated: December ^{12th}, 2014

HARRIS, PERISHO & RUIZ

By: 
S. DEAN RUIZ
Attorney for Woods Irrigation Company

Dated: December , 2014

NEUMILLER & BEARDSLEE

By: _____
KURTIS C. KELLER
Attorney for Rudy M. Mussi
Investment LP et al.

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Dated: December , 2014

HARRIS, PERISHO & RUIZ

By:

S. DEAN RUIZ
Attorney for Woods Irrigation Company

Dated: December 12, 2014

NEUMILLER & BEARDSLEE

By:



KURTIS C. KELLER
Attorney for Rudy M. Mussi
Investment LP et al.

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Attorney for
Woods Irrigation District

BEFORE THE STATE WATER RESOURCES CONTROL BOARD

IN THE MATTER OF THE
RECONSIDERATION OF ORDER WR
2011-0005

**DECLARATION OF DEAN RUIZ IN
SUPPORT OF JOINT PETITION TO
CLARIFY SCOPE OF PROCEEDINGS
AND REMOVE FROM PROCEEDINGS
LANDOWNERS NOT RECEIVING
WATER FROM WOODS IRRIGATION
COMPANY**

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1. I, Dean Ruiz, declare that the matters stated herein are true and correct and that if called to testify to them, I could and would do so.

2. I am the General Counsel and Secretary for Woods Irrigation Company.

3. According to the records of Woods Irrigation Company ("Woods"), the landowners and parcels listed on Exhibit A hereto do not receive irrigation water through the Woods facilities. These parcels were listed on the landowner list that Woods previously provided to Ernie Mona of the State Water Resources Control Board because they are customers of Woods for drainage service.

Executed this 12 day of December 2014 in Stockton, California



DEAN RUIZ

Exhibit A
Parcels that Do Not Receive Irrigation Water from Woods Irrigation Company Facilities

Acres	Owner	APN
203.66	Robinson Diversified Farms, LP	131-310-03
106	Tanaka, Heather Robinson	131-310-02
139.63	Del Carlo, Ronnie G. & Janet Tr	131-290-04
71.53	Del Carlo, Dino & Nicole	131-310-01
70.18	Mussi, Rudy M. & Toni et al.	131-170-03
62.03	Honker Lake Ranch LP	131-180-04
362.81	Honker Lake Ranch LP	131-180-08
40	Pak, Yong Kil & Young Sun	131-180-07
54.66	A Rossi Inc	131-360-06
37.59	Wenzel, Mark S & Gayle D	131-360-02
32.11	A Rossi Inc	131-360-20
4.44	Wenzel, Mark S & Gayle D	131-360-03
2.88	Wenzel, Mark S & Gayle D	131-360-17
3.07	Holguin, Benito	131-360-18
1.7	A Rossi Inc	131-360-19
6.16	Harragon, Andrew M. Tr Et al	162-040-02
95.47	Harragon, Andrew M. Tr Et al	162-040-03
3.87	Rosasco, Victor R. & Tina Tr	162-040-04
33.31	Mazzanti, August & Lillian Tr	162-040-25
3.25	Stockton Port District	162-040-26
61.72	Mazzanti, August & Lillian Tr	162-040-24
8.88	Stockton Port District	162-040-27
77.86	Mario Jaques Tr	162-130-01
83.74	Rudy M. Mussi Investment LP et al	162-120-06
112.87	Ohm, Loren C. & Delores S	162-120-09
2.2	Rodgers Vieira, Elyse Elyse Rodgers Vieira Separate Property T	162-110-18

1	2.2	Rodgers, Marcella L	162-110-19
2	2.2	Rodgers Vieira, Elyse Elyse Rodgers Vieira Separate Property T	162-110-20
3	50	Mesa, Florene and Hamilton, Shirley	162-110-06
4	0.25	Stockton Port District	162-040-28
5	0.82	Stockton Port District	162-040-29
6	57.17	Richard and Vincent Marchini	162-130-07
7	158.97	Marchini Land Co PTP	162-130-08
8	10	Richard and Debbie Marchini Tr	162-130-09
9	7.7	Linda A. Lehmann-Kitzmler c/o Marchini Land Co PTP	162-150-03
10	7.68	John E. and Dixie L. Brass Trust c/o Marchini Land Co PTP	162-150-04

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PROOF OF SERVICE

I am employed in the County of San Joaquin; my business address is 225 West Oak Street, Lodi, California; I am over the age of 18 years and not a party to the foregoing action.

On December 15, 2014, I served a true and correct copy of:

Joint Petition to Clarify Scope of Proceedings and Remove From Proceedings Landowners Not Receiving Water From Woods Irrigation Company

BY ELECTRONIC MAIL (EMAIL). By sending the document(s) to the person(s) at the email address(es) listed below.

<p>WOODS IRRIGATION COMPANY S. Dean Ruiz, General Counsel HARRIS, PERISHO & RUIZ ATTORNEYS AT LAW Brookside Corporate Center 3439 Brookside Road, Suite 210 Stockton CA 95219 dean@hprlaw.net</p> <p>WOODS IRRIGATION COMPANY John Herrick, Co-Counsel 4255 Pacific Avenue, Suite 2 Stockton, CA 95207 jherrlaw@aol.com</p>	<p>DIVISION OF WATER RIGHTS PROSECUTION TEAM David Rose John O'Hagan State Water Resources Control Board 1001 I. Street Sacramento, CA 95814 David.Rose@waterboards.ca.gov John.O'Hagan@waterboards.ca.gov</p>
<p>MODESTO IRRIGATION DISTRICT Tim O'Laughlin O'Laughlin & Paris LLP PO. Box 9259 Chico, CA 92927 towater@olaughlinparis.com vkincaid@olaughlinparis.com</p>	<p>STATE WATER CONTRACTORS Stanley C. Powell Kronick, Moscovitz, Tiedemann & Girard 400 Capitol Mall, 27th Floor Sacramento, CA 95814 spowell@kmtg.com</p>
<p>THE SAN LUIS & DELTA-MENDOTA WATER AUTHORITY Jon Rubin, Senior Staff Counsel San Luis & Delta-Mendota Water Authority 400 Capitol Mall, 27th Floor Sacramento, CA 95814 Jon.Rubin@sldmwa.org</p> <p>THE SAN LUIS & DELTA-MENDOTA WATER AUTHORITY Daniel J. O'Hanlon Rebecca R. Akroyd</p>	<p>CENTRAL DELTA WATER AGENCY S. Dean Ruiz, Esq. Harris, Perisho & Ruiz 3439 Brookside Road, Suite 210 Stockton, CA 95219 dean@hprlaw.net</p>

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28	ASSOCIATION	James Mizell
29	David J. Guy, President	P.O. Box 942836
30	455 Capitol Mall, Suite 335	Sacramento, CA 94236-0001
31	Sacramento, CA 95814	James.Mizell@water.ca.gov
32	dguy@norcalwater.org	

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: _____