

**From:** [Buckman, Michael@Waterboards](mailto:Buckman.Michael@Waterboards)  
**To:** [Petruzzelli, Kenneth@Waterboards](mailto:Petruzzelli.Kenneth@Waterboards); [Anne Branham](#)  
**Cc:** [dkindermann@aklandlaw.com](mailto:dkindermann@aklandlaw.com); [ghansen@aklandlaw.com](mailto:ghansen@aklandlaw.com); [bbarringer@mblaw.com](mailto:bbarringer@mblaw.com); [Bill Paris](#); [Arthur Godwin](#); [Robert Donlan](#); [Milstein, Joshua \(CAT\)](#); [Linda Wood](#); [Weaver, Lily@Waterboards](mailto:Weaver.Lily@Waterboards); [Unit, Wr\\_Hearing@Waterboards](mailto:Unit.Wr_Hearing@Waterboards)  
**Subject:** Re: COMMENT LETTER - 4/2/19 BOARD MEETING: FAHEY CDO & ACL HEARING  
**Date:** Monday, April 1, 2019 8:37:05 PM  
**Attachments:** [04\\_02\\_19\\_second\\_revised\\_agenda\\_links.pdf](#)

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Service List,

Attached is the second revised agenda for the April 2, 2019 Board Meeting.

Item 9 has been pulled.

Michael Buckman  
Hearings Unit Chief, Division of Water Rights  
State Water Resources Control Board  
916.341.5448

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**From:** Buckman, Michael@Waterboards  
**Sent:** Monday, April 1, 2019 5:08 PM  
**To:** Petruzzelli, Kenneth@Waterboards; Anne Branham  
**Cc:** [dkindermann@aklandlaw.com](mailto:dkindermann@aklandlaw.com); [ghansen@aklandlaw.com](mailto:ghansen@aklandlaw.com); [bbarringer@mblaw.com](mailto:bbarringer@mblaw.com); [Bill Paris](#); [Arthur Godwin](#); [Robert Donlan](#); [Milstein, Joshua \(CAT\)](#); [Linda Wood](#); [Weaver, Lily@Waterboards](mailto:Weaver.Lily@Waterboards); [Unit, Wr\\_Hearing@Waterboards](mailto:Unit.Wr_Hearing@Waterboards)  
**Subject:** Re: COMMENT LETTER - 4/2/19 BOARD MEETING: FAHEY CDO & ACL HEARING

Service List,

Consideration of Agenda Item #9 has been continued to a future Board Meeting. Additional information will follow.

Michael Buckman  
Hearings Unit Chief, Division of Water Rights  
State Water Resources Control Board  
916.341.5448

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**From:** Petruzzelli, Kenneth@Waterboards  
**Sent:** Monday, April 1, 2019 2:48 PM  
**To:** [Weaver, Lily@Waterboards](mailto:Weaver.Lily@Waterboards); [Anne Branham](#); [commentletters](#); [Unit, Wr\\_Hearing@Waterboards](mailto:Unit.Wr_Hearing@Waterboards)  
**Cc:** [dkindermann@aklandlaw.com](mailto:dkindermann@aklandlaw.com); [ghansen@aklandlaw.com](mailto:ghansen@aklandlaw.com); [bbarringer@mblaw.com](mailto:bbarringer@mblaw.com); [Bill Paris](#); [Arthur Godwin](#); [Robert Donlan](#); [Milstein, Joshua \(CAT\)](#); [Linda Wood](#)  
**Subject:** RE: COMMENT LETTER - 4/2/19 BOARD MEETING: FAHEY CDO & ACL HEARING

Dear Hearing Officers,

The Prosecution Team concurs with the requests of G. Scott Fahey and Sugar Pine Spring Water, L.P. and the Modesto Irrigation District, Turlock Irrigation District, and the City and County of San Francisco to continue the State Water Resources Control Board's consideration of the Draft Order, currently scheduled for April 2, 2019, and to allow written briefing.

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State Water Resources Control Board  
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**From:** Weaver, Lily@Waterboards <Lily.Weaver@Waterboards.ca.gov>

**Sent:** Saturday, March 30, 2019 2:10 PM

**To:** Anne Branham <abranham@olaughlinparis.com>; commentletters <commentletters@waterboards.ca.gov>; Unit, Wr\_Hearing@Waterboards <Wr\_Hearing.Unit@waterboards.ca.gov>

**Cc:** Petruzzelli, Kenneth@Waterboards <Kenneth.Petruzzelli@Waterboards.ca.gov>; dkindermann@aklandlaw.com; ghansen@aklandlaw.com; bbarringer@mblaw.com; Bill Paris <bparis@olaughlinparis.com>; Arthur Godwin <afg@rbgmlaw.com>; Robert Donlan <red@eslawfirm.com>; Milstein, Joshua (CAT) <Joshua.D.Milstein@sfcityatty.org>; Linda Wood <lwood@olaughlinparis.com>

**Subject:** Re: COMMENT LETTER - 4/2/19 BOARD MEETING: FAHEY CDO & ACL HEARING

Ladies and Gentlemen,

On April 2, 2019, the State Water Board will consider adoption of a proposed order issuing a Cease and Desist Order and imposing Administrative Civil Liability against G. Scott Fahey and Sugar Pine Spring Water, LP, as previously scheduled. The Board requests that parties prepare to discuss the following in their oral comments:

1. Replacement water credits and other issues raised in the March 29, 2019 letter and redline strikeout submitted by Modesto Irrigation District, Turlock Irrigation

District, and the City and County of San Francisco;

2. Any refinements to the March 28, 2019 revised draft order that may be sufficient to address those issues.

The Board will consider oral comments and determine an appropriate course of action.

Sincerely,  
Lily Weaver  
She/her/hers  
Attorney, Office of Chief Counsel  
State Water Resources Control Board

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**From:** Weaver, Lily@Waterboards  
**Sent:** Friday, March 29, 2019 5:50 PM  
**To:** Anne Branham; commentletters; Unit, Wr\_Hearing@Waterboards  
**Cc:** Petruzzelli, Kenneth@Waterboards; [dkindermann@aklandlaw.com](mailto:dkindermann@aklandlaw.com); [ghansen@aklandlaw.com](mailto:ghansen@aklandlaw.com); [bbarringer@mblaw.com](mailto:bbarringer@mblaw.com); Bill Paris; Arthur Godwin; Robert Donlan; Milstein, Joshua (CAT); Linda Wood  
**Subject:** Re: COMMENT LETTER - 4/2/19 BOARD MEETING: FAHEY CDO & ACL HEARING

Ladies and Gentlemen,

This message confirms receipt of the request to postpone consideration of this matter filed by Modesto Irrigation District, Turlock Irrigation District, and the City and County of San Francisco at 4:09 PM on Friday, March 29, 2019. The request has been taken under submission. A ruling on the postponement request may issue in advance of the April 2, 2019 board meeting.

In the absence of a ruling, the item will be heard on April 2 as scheduled. Parties may wish to take such measures as may be necessary to prevent prejudice to themselves.

Sincerely,  
Lily Weaver  
She/her/hers  
Attorney, Office of Chief Counsel  
State Water Resources Control Board

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**From:** Anne Branham <[abranham@olaughlinparis.com](mailto:abranham@olaughlinparis.com)>  
**Sent:** Friday, March 29, 2019 4:08 PM  
**To:** commentletters  
**Cc:** Weaver, Lily@Waterboards; Petruzzelli, Kenneth@Waterboards; [dkindermann@aklandlaw.com](mailto:dkindermann@aklandlaw.com); [ghansen@aklandlaw.com](mailto:ghansen@aklandlaw.com); [bbarringer@mblaw.com](mailto:bbarringer@mblaw.com); Bill Paris; Arthur Godwin; Robert Donlan;

Milstein, Joshua (CAT); Linda Wood

**Subject:** COMMENT LETTER - 4/2/19 BOARD MEETING: FAHEY CDO & ACL HEARING

Ms. Townsend,

Please find attached two documents, sent on behalf of Modesto Irrigation District, Turlock Irrigation District, and the City and County of San Francisco: 1) a comment letter regarding the Revised Draft Order and Change Sheet #1 that were circulated this morning, and 2) the Districts' and CCSF's submission of proposed redlines of the Draft Order for Staff's consideration, as referenced in the comment letter.

Please do not hesitate to get in touch with our office directly if you have any questions.

Thank you,

**ANNE E. BRANHAM | ATTORNEY**

**O'LAUGHLIN & PARIS LLP**

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