

**Proposed Cease and Desist Order Hearing**

Check one of the following:

- Gallo Vineyards, Inc.
- Mark and Valla Dunkel
- Mussi et al.
- Yong Pak and Sun Young

scheduled to commence  
May 5, 2010

**Exhibit Identification Index**

Modesto Irrigation District, State Water Contractors,  
and San Luis & Delta-Mendota Water Authority

PARTICIPANT: \_\_\_\_\_

Exhibit Identification Number	Exhibit Description	Status of Evidence		
		Introduced	Accepted	By Official Notice
MSS 1	Testimony of Stephen R. Wee			
MSS 1A	Wee Statement of Qualifications			
MSS 1B	Chain of Title Summary			
MSS 1C	Map #131-180-07-C			
MSS 1D	Map #131-180-07-E			
MSS 1E	Map #131-180-07-F			
MSS 1F	1896 Deed			
MSS 1G	Map #131-180-07-G			
MSS 1H	Map #131-180-07-K			
MSS 1I	Sept. 29, 1911, Agreement			
MSS 1J	Sept. 29, 1911, Agreement			
MSS 2A	Sequencing Map 1			
MSS 2B	Sequencing Map 2			
MSS 2C	Sequencing Map 3			
MSS 2D	Sequencing Map 4			
MSS 2E	Sequencing Map 5			
MSS 2F	Sequencing Map 6			

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 PARTICIPANT: and San Luis & Delta-Mendota Water Authority

Exhibit Identification Number	Exhibit Description	Status of Evidence		
		Introduced	Accepted	By Official Notice
MSS 2G	Sequencing Map 7			
MSS 2H	Sequencing Map 8			
MSS 3	Testimony of Philip Johnson			
MSS 3A	Johnson Statement of Qualifications			
MSS 3B	August 1937 aerial photograph			
MSS 3C	May 1940 aerial photograph			
MSS 3D	July 1957 aerial photograph			
MSS 3E	June 1963 aerial photograph			
MSS 3F	August 1963 aerial photograph			
MSS 3G	May 1968 aerial photograph			
MSS 3H	April 1985 aerial photograph			
MSS 3I	June 1987 aerial photograph			
MSS 3J	March 1993 aerial photograph			
MSS 3K	Sept. 2000 aerial photograph			
MSS 4	Testimony of David A. Goldhamer, Ph.D			
MSS 4A	Goldhamer Statement of Qualifications			
MSS 4B	Consumptive Use Chart			

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PROOF OF SERVICE

I Gilberto J. Castro declare as follows:

I am over 18 years of age and not a party to the within action; my business address is 400 Capitol Mall, Suite 1800, Sacramento, California, I am employed in Sacramento County, California.

On April 1, 2010, I served a copy of the following documents:

**EXHIBIT IDENTIFICATION INDEX AND EXHIBITS FOR HEARING  
REGARDING ADOPTION OF DRAFT CEASE AND DESIST ORDER  
AGAINST: YONG PAK AND SUN YOUNG (DUCK SLOUGH) - SAN JOAQUIN  
COUNTY - SCHEDULED TO COMMENCE ON MAY 5, 2010**

On the following interested parties in the above-referenced case number to the following:

**SEE ATTACHED SERVICE LIST**

BY MAIL

By following ordinary business practice, placing a true copy thereof enclosed in a sealed envelope, for collection and mailing with the United States Postal Service where it would be deposited for first class delivery, postage fully prepaid, in the United States Postal Service that same day in the ordinary course of business.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on April 1, 2010, at Sacramento, California.



Gilberto J. Castro

Service List

<p>YONG PAK AND SUN YOUNG  c/o John Herrick, Esq.  4255 Pacific Avenue, Suite 2  Stockton, CA 95207  <a href="mailto:jherrlaw@aol.com">jherrlaw@aol.com</a></p> <p>c/o Dean Ruiz, Esq.  Harris, Perisho &amp; Ruiz  3439 Brookside Road, Suite 210  Stockton, CA 95219  <a href="mailto:dean@hpllp.com">dean@hpllp.com</a></p>	<p>DIVISION OF WATER RIGHTS PROSECUTION TEAM  c/o David Rose  State Water Resources Control Board  1001 I Street  Sacramento, CA 95814  <a href="mailto:DRose@waterboards.ca.gov">DRose@waterboards.ca.gov</a></p>
<p>CENTRAL DELTA WATER AGENCY  c/o Dean Ruiz, Esq.  Harris, Perisho &amp; Ruiz  3439 Brookside Road, Suite 210  Stockton, CA 95219  <a href="mailto:dean@hpllp.com">dean@hpllp.com</a></p>	<p>SOUTH DELTA WATER AGENCY  c/o John Herrick  Attorney at Law  4255 Pacific Avenue, Suite 2  Stockton, CA 95207  <a href="mailto:jherrlaw@aol.com">jherrlaw@aol.com</a></p> <p>c/o Dean Ruiz, Esq.  Harris, Perisho &amp; Ruiz  3439 Brookside Road, Suite 210  Stockton, CA 95219  <a href="mailto:dean@hpllp.com">dean@hpllp.com</a></p>
<p>SAN JOAQUIN COUNTY AND THE SAN JOAQUIN COUNTY FLOOD CONTROL &amp; WATER CONSERVATION DISTRICT  c/o DeeAnne M. Gillick  Neumiller &amp; Beardslee  P.O. Box 20  Stockton, CA 95201-3020  <a href="mailto:dgillick@neumiller.com">dgillick@neumiller.com</a>  <a href="mailto:tshepard@neumiller.com">tshepard@neumiller.com</a></p>	<p>STATE WATER CONTRACTORS  c/o Stanley C. Powell  Kronick, Moskovitz, Tiedemann &amp; Girard  400 Capitol Mall, 27th Floor  Sacramento, CA 95814  <a href="mailto:spowell@kmtg.com">spowell@kmtg.com</a></p>
<p>MODESTO IRRIGATION DISTRICT  c/o Tim O'Laughlin  Ken Petruzzelli  O'Laughlin &amp; Paris LLP  117 Meyers St., Suite 110  P.O. Box 9259  Chico, CA 95927-9259  <a href="mailto:towater@olaughlinparis.com">towater@olaughlinparis.com</a>  <a href="mailto:kpetruzzelli@olaughlinparis.com">kpetruzzelli@olaughlinparis.com</a></p>	<p>SAN JOAQUIN FARM BUREAU  c/o Bruce Blodgett  3290 North Ad Art Road  Stockton, CA 95215-2296  <a href="mailto:director@sjfb.org">director@sjfb.org</a></p>



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CALIFORNIA DEPARTMENT OF WATER RESOURCES c/o Erick Soderlund 1416 Ninth Street, Room 1118 Sacramento, CA 95814 <a href="mailto:esoderlu@water.ca.gov">esoderlu@water.ca.gov</a>	
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# MSS Exhibit 1

1 Timothy O'Laughlin, State Bar No. 116807  
Kenneth Petruzzelli, State Bar No. 227192  
2 O'LAUGHLIN & PARIS LLP  
P.O. Box 9259  
3 Chico, California 95927  
Telephone: (530) 899-9755  
4 Facsimile: (530) 899-1367

5 Attorneys for MODESTO IRRIGATION DISTRICT

6 Clifford W. Schulz, State Bar No. 039381  
Stanley C. Powell, State Bar No. 254057  
7 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Professional Corporation  
8 400 Capitol Mall, 27th Floor  
Sacramento, California 95814  
9 Telephone: (916) 321-4500  
Facsimile: (916) 321-4555

10 Attorneys for STATE WATER CONTRACTORS

11 Jon D. Rubin, State Bar No. 196944  
12 Valerie C. Kincaid, State Bar No. 231815  
DIEPENBROCK HARRISON  
13 A Professional Corporation  
400 Capitol Mall, Suite 1800  
14 Sacramento, CA 95814-4413  
Telephone: (916) 492-5000  
15 Facsimile: (916) 446-4535

16 Attorneys for SAN LUIS & DELTA-MENDOTA  
WATER AUTHORITY

17  
18 BEFORE THE CALIFORNIA

19 STATE WATER RESOURCES CONTROL BOARD

20  
21 In the Matter of Draft Cease and Desist  
22 Order No. 2009-00XX-DWR Against  
23 Yong Pak and Sun Young

**TESTIMONY OF STEPHEN R. WEE**

24  
25 My name is Stephen R. Wee and I am a principal with JRP Historical Consulting, LLC.  
26 In this position, I have served as a consulting historian for major historical research investigations  
27 covering a wide range of topics, including services as an expert historian in legal cases involving  
28 pre-1914 appropriative water rights, riparian water rights, historic inland navigation, and other

1 environmental issues. My Statement of Qualifications is marked as MSS Exhibit 1A.

2 I, and other historians employed by JRP Historical Consulting, LLC working under my  
3 direct supervision, obtained the chain of title documents for San Joaquin County Assessor's  
4 Parcel Number (APN) 131-180-07 (Parcel) from the San Joaquin County Recorder's office in  
5 Stockton, the San Joaquin County Historical Society Museum in Micke Grove, Lodi, and the  
6 California State Lands Commission, in Sacramento. I reviewed each document for the chain of  
7 title and present a summary of each document in MSS Exhibit 1B. MSS Exhibit 1B includes  
8 information on: (1) instrument date; (2) date recorded; (3) grantor; (4) grantee; (5) document  
9 type; (6) document number; and (7) map number.

10 The documents for the chain of title for the Parcel indicate that on July 26, 1869, the State  
11 of California issued Certificate of Purchase No. 2864 to G. D. Roberts. Certificate of Purchase  
12 No. 2864 issued pursuant to the "Swamp and Overflow Land Act of September 28, 1850" (9  
13 Stats. 519). *See* MSS Exhibit 1C. At the time the State of California issued Certificate of  
14 Purchase No. 2864, the Parcel was part of a larger tract that was contiguous to Burns Cutoff, the  
15 San Joaquin River, Whiskey Slough, and the Middle River. CP 2864 was transferred from  
16 Roberts to Tideland Reclamation Company in 1871 and from Tideland Reclamation Company to  
17 J.P. Whitney on 1875.

18 On November 24, 1876, the United States of America and California issued a patent to  
19 J. P. Whitney. That patent included approximately 40,213 acres and all of the lands in Certificate  
20 of Purchase No. 2864 on Roberts Island, including the Parcel.

21 On December 12, 1876, the Parcel was transferred as part of a larger piece of land,  
22 containing 28,115 acres, to Morton C. Fisher ("1876 Tract"). *See* MSS Exhibit 1D. As a result  
23 of that transfer, the 1876 Tract remained contiguous to Burns Cutoff, the San Joaquin River,  
24 Whiskey Slough, and the Middle River.

25 On November 6, 1896, the Parcel was transferred as part of a larger piece of land,  
26 containing about 769 acres ("1896 Tract"), to E.W.S. Woods. *See* MSS Exhibit 1E. As a result  
27 of this transfer, the 1896 Tract was no longer contiguous to Burns Cutoff, San Joaquin River,  
28 Middle River, and Whiskey Slough. The deed for the transfer of the 1896 Tract contains no

1 language that preserved riparian water rights; the deed states that the transfer is made “together  
2 with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in  
3 anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues  
4 and profits thereof.” *See* MSS Exhibit 1F.

5 On December 26, 1922, the 1896 Tract was transferred as life estate to Alice M. Woods,  
6 and the remainder to Lloyd H., Armand H., and Marcy S. Woods. In this transfer, the 1896 Tract  
7 was further divided and the Parcel was included in a larger 585 acre piece of land (“1922 Tract”).  
8 *See* MSS Exhibit 1G.

9 Between 1922 and 1986, the 1922 Tract changed ownership multiple times. The Parcel’s  
10 current boundaries resulted from a transaction dated November 30, 1988. MSS Exhibit 1H.  
11 From 1988 to the present, the Parcel changed ownership a number of times. According to records  
12 of the San Joaquin County Recorder, Yong Kil Pak and Young Sun Pak currently own the Parcel  
13 as joint tenants.

14 The changes reflected in the chain of title described above are depicted graphically in  
15 MSS Exhibits 2A-2H.

16 I, and other historians employed by JRP Historical Consulting, LLC working under my  
17 direct supervision reviewed files of the San Joaquin County Recorder’s office in Stockton, the  
18 San Joaquin County Historical Society Museum in Micke Grove, Lodi, and the California State  
19 Lands Commission, in Sacramento, to identify evidence of water use on the Parcel prior to 1914.  
20 We found no notices of appropriation for water diversion and use filed pursuant to the 1872 Civil  
21 Code for the Parcel. In 1911, two agreements were executed between E. W. S. Woods and the  
22 Woods Irrigation Company. MSS Exhibits 1I and 1J.

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# MSS Exhibit 1A

## **STEPHEN R. WEE**

PRESIDENT, JRP HISTORICAL CONSULTING LLC

### **EDUCATION**

M.A., History (United States), University of California, Davis

Emphasis on Environmental History, California and the American West

B.A., History, University of Washington, Seattle

Graduated *Magna Cum Laude*

Emphasis on United States History

### **BUSINESS AND PROFESSIONAL CREDENTIALS**

President, JRP Historical Consulting, LLC, 2006-present

Founding Partner and Principal, JRP Historical Consulting, 1981 – 2006

Superior Accomplishment Award in Recognition of Exceptional Performance, Director, California Department of Transportation, June 2002.

Information Center Procedural Advisory Committee, Standing Committee of the California Historic Resources Commission, 1999-2002

Political Action Committee/CHA Editorial Board (1986-1994), Board of Directors/ Executive Board (1997-1999), California Council for the Promotion of History

Commissioner, City of Davis Historical Resources Management Commission, 1990-1993

Historic Resources Subcommittee, California Heritage Resource Data Management Advisory Committee, California Office of Historic Preservation, 1987

Registered Professional Historian, California Council for the Promotion of History, 1985-present

Founding Partner, California-Pacific Research Associates, 1978-1980

Interagency Research Coordinator (Historical Studies), California State Lands Commission / Land Law Division, California Department of Justice, Office of the Attorney General, Sacramento, 1976-77

### **EXPERT WITNESS TESTIMONY AND REPORTS**

*Robert M. Harding, Plaintiff v. City of Elsinore; Santa Ana Watershed Project Authority*, Case No. RIC 445294, Superior Court, State of California, County of Riverside, Western Division. Expert Historian deposition on behalf of defendants regarding history of public roads and trails and their dedication for public uses in Elsinore township and the townsite of Lake Elsinore, 1840s-1920s (October 21, 2009).

*In Re the General Adjudication of Rights to the Use of Water from the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System*, Subcase Nos. 63-30978 & 63-31973,

District Court of the Fifth Judicial District of the State of Idaho, Twin Falls, ID. Submission of Expert Report regarding the U. S. Forest Service's Claims to groundwater on Idaho National Forests as a Federal Reserved Water Rights under the Organic Act of 1897, Boise: State of Idaho, Office of the Attorney General, 2008-present.

*Summary Report: Roberts Island and Union Island Riparian Water Rights Investigation, San Joaquin County, CA* (June 2008), Appendix C to the San Joaquin River Group Authority, *South Delta Hydrology and Water Rights*, Report to the State Water Rights Control Board, Bay-Delta Strategic Workplan (2008).

State Water Resources Control Board, Division of Water Rights, Lake Arrowhead Administrative Civil Liability Enforcement Hearing (CDO No. 262.31-18; ACL No. 262.5-40). Expert Report and Testimony before the SWRCB regarding pre-1914 consumptive water rights of the Lake Arrowhead Community Services District and Lake Arrowhead Country Club, November 8-9, 2005. Sacramento: Ellison, Schneider & Harris, LLP, Attorneys at Law, 2005.

*In Re the General Adjudication of Rights to the Use of Water from the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System*, Case No. 39576, District Court of the Fifth Judicial District of the State of Idaho, Twin Falls, ID. Submission of Expert report and deposition testimony before US Attorney for Shoshone-Paiute Tribe related to Federal Reserved Water Right Claims for the Duck Valley Indian Reservation, Idaho and Nevada, based upon the purposes for the creation of the Duck Valley Indian Reservation. Boise: State of Idaho, Office of the Attorney General, 2004 - 2006.

*In the Matter of the Determination of the Relative Rights of the Waters the Klamath River a Tributary of the Pacific Ocean. Lead Case No. 003.* Before the Hearing Office Panel for the State of Oregon Water Resources Department. Expert Report on behalf of Klamath Water Users Association and others regarding pre-1909 appropriative water rights claims for certain claimants under the U.S. Bureau of Reclamation's Klamath Irrigation Project, Upper Klamath River Basin, OR and CA. Sacramento: Somach, Simmons & Dunn, Sacramento, Attorneys at Law, 1997-2005.

State Water Resources Control Board, Administrative Civil Liability Complaint Hearings Against Lloyd L. Phelps, Jr., Joey P. Ratto, Jr., and Ronald D. Conn and Ron Silva, et al. (Complaint Nos. 262.5-28 through 30; Water Right Order No. 2004-0004) regarding Riparian Water Right Claims on Roberts Island, San Joaquin County, CA. Testimony for South San Joaquin Water Users Association and O'Laughlin & Paris, Attorneys at Law, February 25, 2003.

California Historic Resources Commission Hearing, Re. Coronado Belt Railroad Eligibility for Listing in the California Register of Historical Resources, Riverside Hearing, November 8, 2002. San Diego: Cities of San Diego, National City, Chula Vista and Imperial Beach, 2002. Provided an expert report and oral testimony before the Commission regarding the eligibility of the Coronado Belt Railroad for listing in the California Register of Historical Resources.

*Orradre v. Monterey County Water Resources Agency.* Water Right Hearing State Water Resources Control Board: Application No. 30532 by Monterey County Water Resources Agency. Submission of declarations on behalf of the applicant relating to pre-1914 water claims for agricultural purposes in the Salinas Valley. Sacramento: Downey Brand Seymour & Rohwer, 2000 - 2001.



*In Re the General Adjudication of Rights to the Use of Water from the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System*, Case No. 63-25243, District Court of the Fifth Judicial District of the State of Idaho, Twin Falls, ID. Submission of Expert Report and deposition testimony before US Attorneys for Department of Justice, Environmental and Natural Resources Division related to the U. S. Forest Service's Claims to Federal Reserved Water Rights under the Organic Act of 1897, Boise: State of Idaho, Office of the Attorney General, 1998.

Putah Creek Water Cases. *Solano Irrigation District v. The Names of All Appropriative Water Rights Holders in Upper Basin, et al.*, Solano Superior Court No. 108552 and *Putah Creek Council v. Solano Irrigation District and Solano County Water Agency*, Sacramento Superior Court No. 515766, 1996. Testimony for Solano Irrigation District and Solano County Water Agency.

*Nickel Enterprises v. State of California*, Kern County Superior Court, 1993. Testimony for California Department of Justice, Office of the Attorney General. Historic navigation on the Kern River.

### **LITIGATION RESEARCH SERVICES**

Historical Water Use on the Coeur D'Alene Indian Reservation, Idaho. Northern Idaho Stream Adjudication: Coeur D'Alene Lake, Idaho. Boise: State of Idaho, Office of the Attorney General, 2010-present.

History of Groundwater Development and Use in Antelope Valley to fulfill the changing military missions of Edwards Air Force Base, Kern, San Bernardino and Los Angeles Counties, CA. Historical research related to federal reserved water right claims for military purposes at Edwards AFB. Washington, D.C.: U. S. Department of Justice, 2008 to present.

History of Fontana Union Water Company's Lytle Creek Diversion on the San Bernardino National Forest. Research and prepare a report documenting water diversion and intake facilities on Lytle Creek prior to the establishment of the national forest reserve in 1893. Prepared for Fontana Union Water Company, Cucamonga Valley Water District and San Gabriel Water District for submission to the Chief Counsel for Natural Resources, U. S. Department of Agriculture, 2009.

Historical Research regarding history of public roads and trails and their dedication for public uses in Elsinore township and the townsite of Lake Elsinore, San Diego and Riverside Counties, CA, 1840s-1920s Riverside: Aklufi & Wysoki, Attorneys at Law, 2006-2009.

Groundwater and Federal Reserved Water Rights Under the Organic Act of 1897. *In Re the General Adjudication of Rights to the Use of Water from the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System*. District Court of the Fifth Judicial District of the State of Idaho, Twin Falls, ID. Boise: State of Idaho, Office of the Attorney General, 2008-present.

Due Diligence Research on Appropriative and Riparian Water Rights Associated with a large historic ranch in Madera County, CA, 2009 - Present.

Pre-1914 Water Rights Investigation: Merced County, CA, 2008 - Present.

- Historic Meandering of the Blackfoot River within a U. S Army Corps of Engineers Flood Control Project Area involving Shoshone-Bannock Indian Lands within the Fort Hall Reservation, Idaho. Boise: Idaho Attorney General's Office, 2008.
- Historic Meandering of the River Bend Section of the Russian River, Sonoma County, CA. Sacramento: Lennihan Law, APC, 2008.
- Pre-1914 Water Rights Investigation, for a historic ditch on Sheridan Creek, near Inwood, Shasta County, CA. Sacramento: Lennihan Law, APC, 2007-2008.
- Historical Water Rights Investigation related to Federal Reserved Water Rights Claim to the Fort Boise Military Reservation, Boise, Idaho. *In Re the General Adjudication of Rights to the Use of Water from the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System.* District Court of the Fifth Judicial District of the State of Idaho, Twin Falls, ID. Boise: State of Idaho, Office of the Attorney General, 2007 - 2008.
- Riparian Lands and Agricultural Land Uses Investigation for Roberts and Union Islands, southern San Joaquin Delta, San Joaquin County, CA. Chico: O'Laughlin & Paris LLP, 2007 – 2009.
- Pre-1914 Water Rights Investigation for Idyllwild Water District regarding Strawberry Creek, a tributary to the San Jacinto River. SWRCB Complaint No. 33-05-01 In Re. Strawberry Creek, Riverside County, CA. Sacramento: Ellison, Schneider & Harris, Attorneys at Law, LLP, 2007 – 2008.
- Historical Water Rights Investigation: Upper and Middle Snake River Basin Water Development for Agriculture vs. Hydroelectric Power Uses, Idaho. *In Re the General Adjudication of Rights to the Use of Water from the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System,* Idaho Power Company Sub-cases. District Court of the Fifth Judicial District of the State of Idaho, Twin Falls, ID. Boise: State of Idaho, Office of the Attorney General, 2006 - Present.
- Pre-1914 Water Rights Investigation: White Mallard Duck Club Property, Butte Creek, Colusa, Sutter and Butte Counties, CA. Sacramento: Lennihan Law, APC, 2006-2007.
- Historical Investigation of Pre-1914 and Riparian Water Rights to Big Springs (aka, Bass Springs), a Tributary of Montgomery Creek, Shasta County, CA. Chico: O'Laughlin & Paris, Attorneys at Law, 2005-2007.
- Historical Investigation and Expert Testimony on Pre-1914 Water Rights of the Lake Arrowhead Community Services District and Lake Arrowhead Country Club, Lake Arrowhead, San Bernardino County, CA. Sacramento: Ellison, Schneider & Harris, LLP, Attorneys at Law, 2004 – 2005.
- Historical Investigations on Water Quality of Upper Klamath Lake, Klamath County, Oregon, California. Sacramento: Ellison, Schneider & Harris, LLP, Attorneys at Law, 2004 – 2005.
- Historic Research related to the Federal Reserved Water Right Claims for the Duck Valley Indian Reservation, Idaho and Nevada, *In Re the General Adjudication of Rights to the Use of Water from the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin*

- Water System*, Case No. 39576, District Court of the Fifth Judicial District of the State of Idaho, Twin Falls, ID. Boise: State of Idaho, Office of the Attorney General, 2004 - 2007.
- Historical Investigations on the Klamath River Fishery, Klamath County, Oregon, and Siskiyou and Humboldt Counties, California. Sacramento: Ellison, Schneider & Harris, LLP, Attorneys at Law, 2004 – 2005.
- Riparian Water Rights Investigation, City of Santa Cruz, Santa Cruz County, CA. Sacramento: Lennihan Law, APC and City of Santa Cruz, 2004 - 2006.
- Research Related to Santa Clara Valley Water District's Water Rights Under the Central Valley Project and State Water Project and Related Matters, Duane, Morris & Heckscher, LLP, Attorneys at Law, 2004 – 2005.
- Historic Research related to the Federal Reserved Water Right Claims of the City of Pocatello (Claim No. 29-11609), *In Re the General Adjudication of Rights to the Use of Water from the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System*, Case No. 39576, District Court of the Fifth Judicial District of the State of Idaho, Twin Falls, ID. Boise: State of Idaho, Office of the Attorney General, 2004.
- Pre-1914 Water Rights Investigation for a Tract of Agricultural Land located on the Sacramento River above Knights Landing, Yolo County, CA. Downey Brand Seymour & Rohwer, Attorneys at Law, 2004-2005.
- Historical Investigation regarding Oroville Dam, Hydroelectric Power Production, and the California State Water Project. Metropolitan Water District of Los Angeles, 2003 – 2004.
- Pre-1914 Water Rights Investigation and Jurisdictional Water Rights History of Mathews Reservoir on Cajalco Creek, Riverside County, CA. Sacramento: Ellison, Schneider & Harris, LLP, Attorneys at Law for Metropolitan Water District of Los Angeles, 2003 – 2004.
- Pre-1914 Water Rights Investigation, Santa Cruz County, CA. Sacramento: Lennihan Law, APC and City of Santa Cruz, 2003 - 2004.
- Pre-1914 Water Rights Investigation: El Dorado Canal, South Fork of the American River Canyon, El Dorado County. Sacramento: Ellison, Schneider & Harris, LLP, Attorneys at Law, 2003 – 2004.
- Pre-1914 and Riparian Water Rights Investigation on 1,000 acres near Tracy, San Joaquin County. Sacramento: Lennihan Law, APC, and the City of Tracy, Public Works Department, 2003.
- Riparian Water Rights Investigation for Hearing before State Water Resources Control Board regarding Water Claims on Roberts Island, San Joaquin County, CA. Chico: O'Laughlin & Paris, Attorneys at Law, 2003.
- Water Rights Investigation for a Coastal Ranch in Monterey County, CA. Sacramento: Kronick, Moskovitz, Tiedemann & Girard, Attorneys at Law August 2002 – 2007.
- Legislative History of Selected Provisions of the California Water Code relating to Areas of Origin. Sacramento: Somach, Simmons & Dunn, Attorneys at Law, 2002-2003.
- Pre-1914 Water Right Investigation for Water Appropriations on the North Fork of the American River, Sacramento County. Sacramento: Ellison, Schneider & Harris, LLP, Attorneys at Law, 2002.

- Historical Occurrences of Salmon and Steelhead Migrations in Solano County Streams. Fairfield: Solano County Water Agency. September 2000 – April 2001.
- Legislative History of Selected Provisions of the 1914 Water Code. Sacramento: Ellison & Schneider, LLP, Attorneys at Law, 2000-2001.
- Orradre v. Monterey County Water Resources Agency*. Monterey County, CA. Research regarding pre-1914 and riparian water rights claims in the Salinas Valley. Sacramento: Downey Brand Seymour & Rohwer, Attorneys at Law, 2000 – 2001.
- State of California v. Schoendorf*. Monterey County, CA. Research on land ownership, water rights and domestic water uses of springs located on a section of the Big Sur Coast. Sacramento: Downey Brand Seymour & Rohwer, Attorneys at Law, 2000 – 2001.
- Bovin Trust Claim – Klamath River Adjudication. Research on pre-1909 water rights claim on the Link River, Klamath Falls, Oregon. Portland, OR: Davis Wright Tremaine, LLP, Attorneys at Law, 2000.
- Historical Research and expert witness services re. claims by the United States for Federal Reserved Water Rights under the Organic Act of 1897 for National Forests within the Snake River Basin. *In Re the General Adjudication of Rights to the Use of Water from the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System*, District Court of the Fifth Judicial District of the State of Idaho. Boise, ID: State Of Idaho, Office of the Attorney General, 1997-2000.
- Klamath River Basin Adjudication. Research services for a water rights adjudication on the Klamath River in Oregon. Historical research and expert witness services regarding land and water use, reclamation project development, and the California Oregon Interstate Compact. Sacramento: DeCuir & Somach (Somach, Simmons & Dunn), Sacramento, Attorneys at Law, 1997 - 2005.
- Salinas River Adjudication Hearings*, Monterey County, California. State Water Resources Control Board Hearings, Pre-1914 Appropriative Water Rights Investigations for various irrigated properties in the upper and lower Salinas River Basin. Sacramento: Ellison & Schneider, Attorneys at Law, 1996-2000.
- Research on the legislative history of the Boulder Canyon Act for Metropolitan Water District of Southern California. Sacramento: Ellison & Schneider, Attorneys at Law, 1999.
- Riparian Water Rights Investigation. Research on riparian water rights claims in the Sacramento-San Joaquin Delta for the Bay-Delta Hearings before the State Water Resources Control Board. Chico, CA: O'Laughlin & Paris, et al., 1999 -2001.
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#### **MEMBERSHIPS**

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**MSS Exhibit 1B**

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
		APN 131-180-07; currently 40.00 acres; in Sections 22 and 27, T1N/R5E				131-180-07-A 131-180-07-B
7/26/1869		State of California	G.D. Roberts	Certificate of Purchase	CP #2864	131-180-07-C
7/26/1869	11/7/1871	State of California	George D. Roberts	Certificate of Purchase	A:24:57	131-180-07-D
7/30/1869	11/7/1871	G.D. Roberts	Tideland Reclamation Company	Assignment of Certificate of Purchase #2864	A:24:57	

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
2/25/1875	3/27/1875	Tideland Reclamation Company	Joel P. Whitney	Quitclaim Deed	A:29:576	
11/24/1876	1/17/1877	United States of America and State of California	J.P. Whitney	Patent	P:3:444	

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
12/12/1876	1/22/1877	Joel P. Whitney	Morton C. Fisher	Deed	A:33:339	
6/20/1877	6/20/1877	Morton C. Fisher, London, England	Glasgow California Land Company	Deed	A:35:480	131-180-07-E

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
11/6/1896	11/14/1896	Glasgow California Land Company	John N. Woods and E.W.S. Woods	Deed	A:90:449	131-180-07-F
12/28/1909	12/28/1909	John N. Woods	E.W.S. Woods	Decree of Distribution	A:181:131	

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
09/29/1911	09/30/1911	E.W.S. Woods	Woods Irrigation Co.	Agreement	G:27:38	



TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
09/29/1911	09/30/1911	Woods Irrigation Co.	E. W.S. Woods	Contract	G:27:41	

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
12/26/1922	12/26/1922	E.W.S. Woods	Alice M. Woods (wife), Lloyd H. Woods (son), Armand H. Woods (son) and Marcy S. Woods (son)	Decree of Distribution	A:518:284	131-180-07-G

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
12/10/1928	12/10/1928	Alice M. Woods	Lloyd H. Woods (son), Armand H. Woods (son) and Marcy S. Woods (son)	Decree of Distribution	OR:247:354	131-180-07-H
12/27/1928	1/17/1929	Lloyd H. Woods and Marcy S. Woods	Armand H. Woods	Deed	OR:192:94	131-180-07-I

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
1/13/1941	1/17/1941	Armand H. Woods	Celia Mary Woods (wife)	Decree of Distribution	OR:719:279	
3/10/1972	3/14/1972	Union Safe Deposit Bank, Trustee of the Estate of Celia Mary Woods	George R. Patterson Construction Company	Corporation Grant Deed	OR:3630:432	131-180-07-J

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
12/10/1986	1/3/1987	George R. Patterson Construction Company	Estate of George R. Patterson and Estate of Rosario E. Patterson	Grant Deed	87002355	
11/30/1988	12/2/1988	Bank of Stockton, Executor of the Estate of George R. Patterson and Estate of Rosario E. Patterson	Estate of George R. Patterson and Estate of Rosario E. Patterson	Grant Deed	88103789	131-180-07-K

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
4/24/1990	4/24/1990	Estate of Rosario E. Patterson	Milton J. Welser	Decree of Distribution	90040488	
4/24/1990	4/24/1990	Estate of George R. Patterson	Milton J. Welser	Decree of Distribution	90040489	
12/9/1998	12/24/1998	Milton J. Welser	Milton Joseph Welser Revocable Trust, Milton Joseph Welser, Trustee	Grant Deed	98154297	

TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
12/3/2002	12/16/2002	Milton Joseph Welser (deceased)	Bradford Alaric Welser	Affidavit	2002-226221	
12/3/2002	12/16/2002	Bradford Alaric Welser, Trustee of the Milton Joseph Welser Revocable Trust	Bradford Alaric Welser	Grant Deed	2002-226222	
7/14/2003	7/22/2003	Bradford Alaric Welser	Mason Myoungsun Au and Dong Ki Song	Grant Deed	2003-161840	



TRACT 131-180-07

INSTRUMENT DATE	DATE RECORDED	GRANTOR	GRANTEE	DOCUMENT TYPE	DOCUMENT #	MAP #
6/18/2004	7/21/2004	Mason Myoungsun Au and Dong Ki Song	Dong Ki Song and Mi Young Song (husband and wife)	Grant Deed	2004-161005	
9/1/2005	9/7/2005	Dong Ki Song and Mi Young Song (husband and wife)	Yong Kil Pak and Young Sun Pak (husband and wife)	Grant Deed	2005-223246	
		Current Owners	Yong Kil Pak and Young Sun Pak			



MSS Exhibit 1C

**MAP #131-180-07-C**

-  Lands adjacent to waterway at time of Certificate of Purchase
-  Lands not adjacent to waterway at time of Certificate of Purchase

**CP 2718  
1/21/1869**

**APPROXIMATE LOCATION  
OF TRACT #131-180-07**

**CP 2864  
7/26/1869**

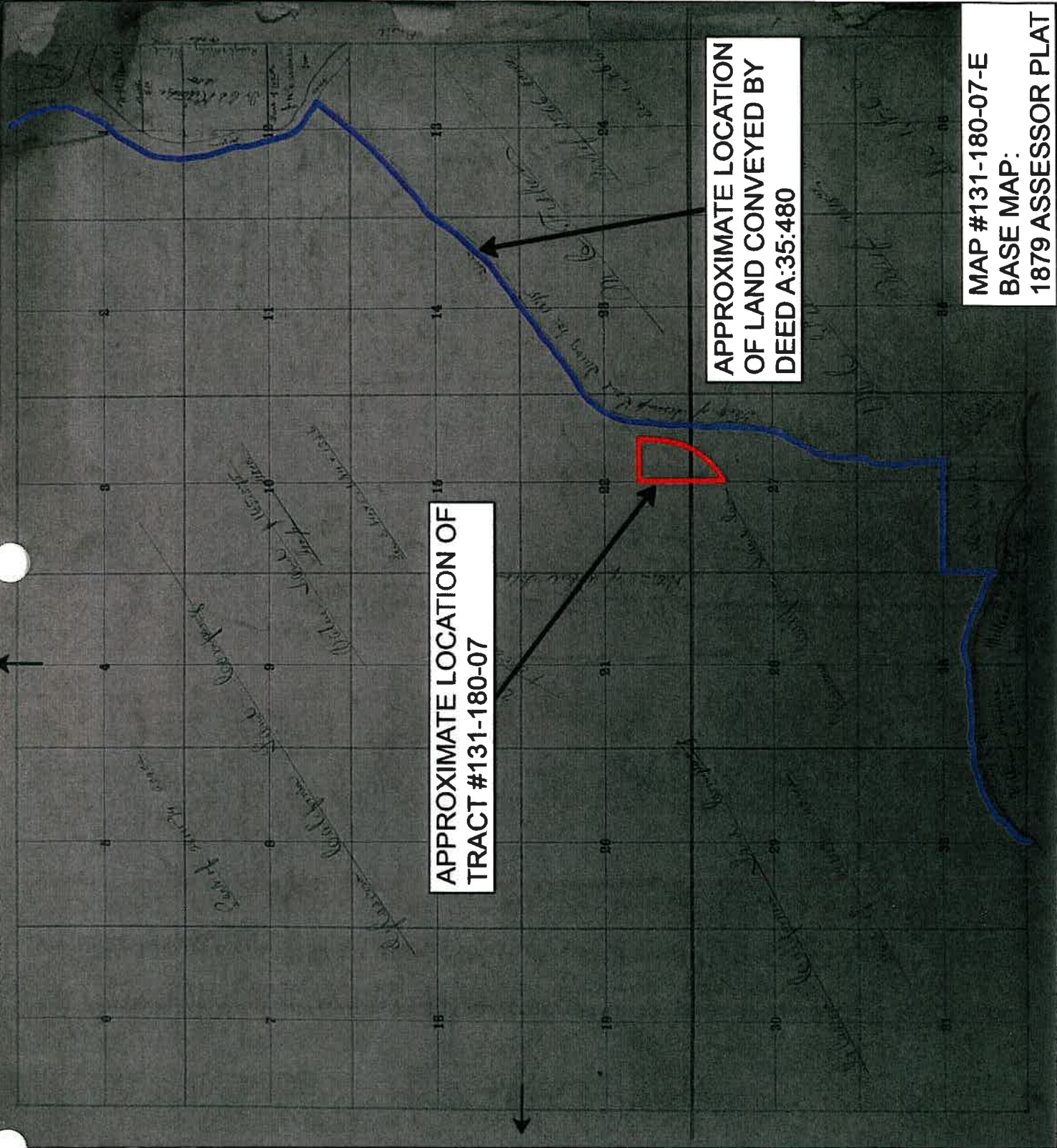
**CP 3321  
7/14/1870**

**MSS Exhibit 1D**



PRIVILEGED AND CONFIDENTIAL

TOWNSHIP No. 1 North RANGE No. 5 East



APPROXIMATE LOCATION OF TRACT #131-180-07

APPROXIMATE LOCATION OF LAND CONVEYED BY DEED A:35:480

MAP #131-180-07-E  
BASE MAP:  
1879 ASSESSOR PLAT

**MSS Exhibit 1E**





**MSS Exhibit 1F**



Woods, John W.

To  
Woods, John W.  
Woods, E. W. S.

**The State of California**  
in the year of our Lord one thousand nine hundred and  
BETWEEN *The Kingsley Land Company*  
(Limited) of Kingsley, California  
of the first part,  
V. *John W. Woods*  
and *E. W. S. Woods* both of the County of San Joaquin  
State of California  
of the second part.

**Witnesseth:** That the said party of the first part, for and in consideration of the sum of *Five* Dollars, *Gold coin* of the United States of America, to *it* in hand paid by the said party of the second part, the receipt whereof is herein acknowledged, *has granted, bargained and sold, conveyed and confirmed, and by these presents does grant, bargain and sell, convey and confirm*

unto the said party of the second part, and to their heirs and assigns forever, *all that certain lot, piece or parcel of land situate, lying and being in the County of San Joaquin State of California, and bounded and particularly described as follows, to wit: Beginning at the common corner of sections 15, 16, 17 and 22, S10R. E. 5E The H. M. Stone Tract 3112 7 feet to the center of Horse Lake Lake then along the center of said lake and south in a westerly direction to its junction with the cross beam between The Paul and Horse Lake Tract thence along the center of said cross beam in a westerly direction to its junction with High Ridge Road thence in a westerly direction to its intersection with E 1/2 W 4 line facing the Kingsley Tract S 1/2 R 5 E thence West along said E 1/2 W 4 line to its intersection with the line between Sec. 21 and 22 T 12 R 5 E thence South along said line of beginning containing 769 1/2 Acres.*

Together with all and singular the easements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

To have and to hold, all and singular the said premises, together with the appurtenances, unto the said party of the second part, and to their heirs and assigns forever.

In witness whereof, the said party of the first part has hereto set its hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of *Kingsley California Land Company Limited*  
By *John W. Parie*  
Attorney in fact.

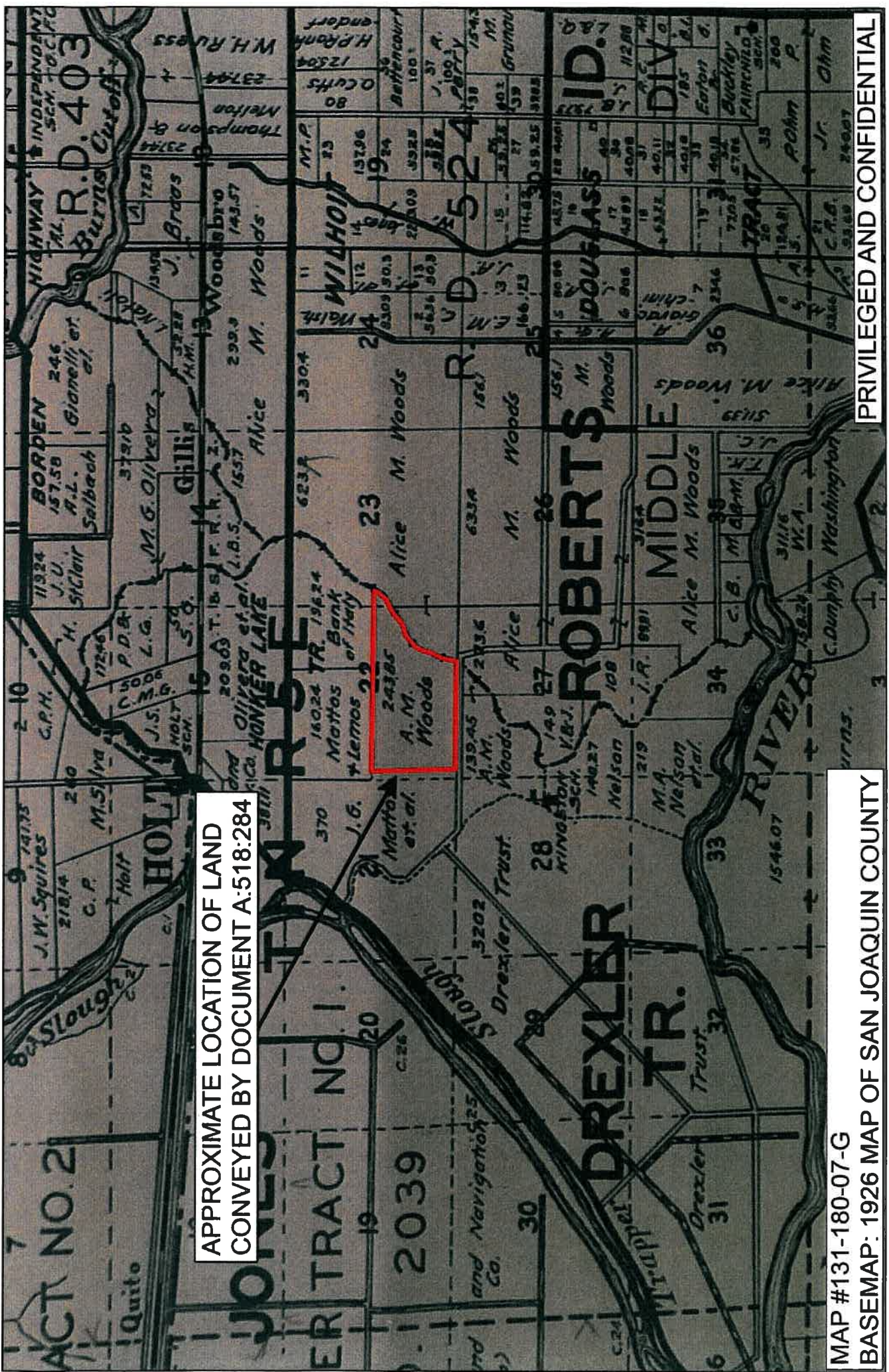
STATE OF CALIFORNIA  
County of SAN JOAQUIN

On this *Eleventh* day of *December* A.D. 1911, I, *James L. King*, Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared *John W. Parie* known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Witness my hand and seal at *Kingsley*, California, this *11th* day of *December*, 1911.



# MSS Exhibit 1G



APPROXIMATE LOCATION OF LAND  
 CONVEYED BY DOCUMENT A:518:284

MAP #131-180-07-G  
 BASEMAP: 1926 MAP OF SAN JOAQUIN COUNTY

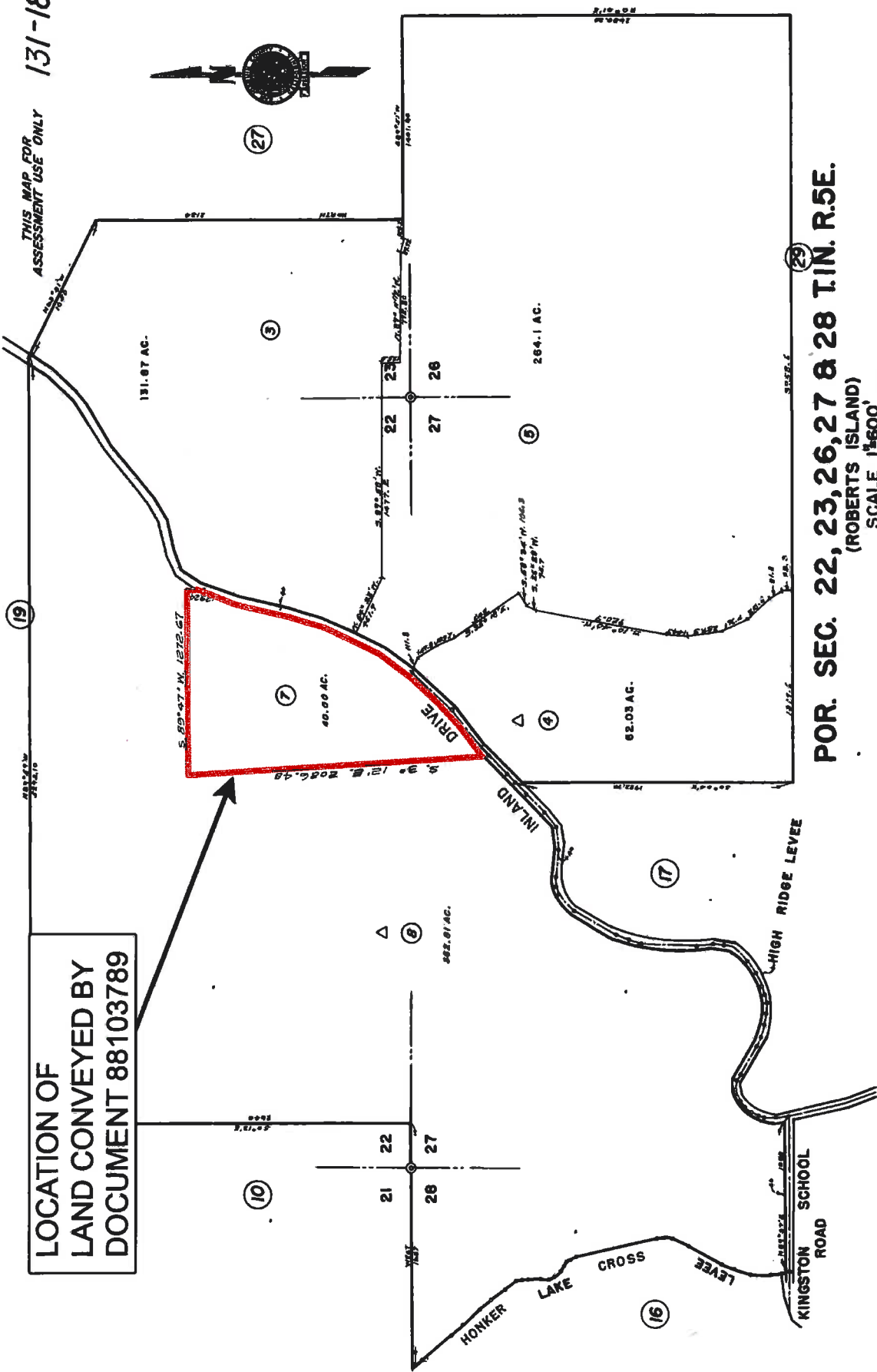
PRIVILEGED AND CONFIDENTIAL



# MSS Exhibit 1H

131-18

THIS MAP FOR ASSESSMENT USE ONLY



LOCATION OF  
LAND CONVEYED BY  
DOCUMENT 88103789

POR. SEC. 22, 23, 26, 27 & 28 T.1N. R.5E.  
(ROBERTS ISLAND)  
SCALE 1"=600'  
SAN JOAQUIN COUNTY  
ASSESSORS MAPS

MAP #131-180-07-K

# MSS Exhibit 1I

residing therein, duly commissioned and qualified, personally appeared, John Newton Wilhoit, known to me to be the person described in, whose name is subscribed to, and who executed the annexed instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at my office in the City of Stockton, County of San Joaquin, the day and year in this certificate first above written.

(Notary Seal.) Avis G McCloud, Notary Public in and for the County of San Joaquin, State of California.

Recorded at Request of Wilhoit & Douglass, Sep. 30 1911 at 26 min past 9 o'clock A.M. in Book G.Vol 27 of Miscellaneous, page 35 San Joaquin County Records. James H. Knoch, Recorder. John J. Anebro, Deputy. Fees \$3.00.

INDEXED TO WOODS IRRIGATION CO. "Agreement." THIS AGREEMENT, made and entered into the 29th day of September, A.D. 1911, between E.W.S. Woods, of the City of Stockton, County of San Joaquin, State of California, the party of the first part, and Woods Irrigation Co. a corporation organized and existing under the laws of the State of California, with its principal place of business in the City of Stockton, County of San Joaquin, State of California, the party of the second part;

WITNESSETH: That the said parties of the first and second part for their mutual benefit and in consideration of the covenants and agreements herein contained do hereby agree as follows:-

FIRST: That in consideration that the party of the second part will operate and maintain a canal system and a drainage system through which the party of the first part may receive water for irrigation and may dispose of drainage or waste water, the party of the first part does hereby grant in perpetuity the right to the party of the second part to construct, maintain, police, patrol, operate, extend, widen and repair a series of canals for the purpose of irrigation and drainage through, over and across that certain land situated in the County of San Joaquin, State of California, and described as follows, to-wit:-

All that portion of the Northeast quarter (N.E. 1/4) of the Southeast quarter (S.E. 1/4) of Section Fourteen (14) Township One (1) North Range Five (5) East, Mount Diablo Base and Meridian, lying North of the center line of the levee known as "High Ridge Levee" and South of the line drawn parallel with and 100 feet Southerly at right angles from the located center line of the San Francisco and San Joaquin Valley Railway Company's Railroad said piece of land containing an area of 12.74 acres, more or less, as delineated upon that certain map entitled "Map of Woods Wilhoit & Douglass' Lands on Middle Division of Robert's Island, in the County of San Joaquin, State of California, filed in the office of the County Recorder of the County of San Joaquin, State of California, on November 4th, 1909, at 3:15 o'clock P.M.

Also that certain lot, piece or parcel of land situate, lying and being in the County of San Joaquin, State of California, and bounded and particularly described as follows, to-wit:- Beginning at the common corner of Sections Fifteen (15) Sixteen (16) Twenty-one (21) and Twenty-two (22) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian, thence West 3102.5 feet to the center of Honker Lake Levee, thence along the center of said levee in a Southerly and southeasterly direction to its junction with the cross levee between "The Pocket" and Honker Lake Tract, thence along the center of said cross levee in an Easterly direction to its junction with High Ridge Levee, thence along the center of High Ridge Levee in a general Northerly direction to its intersection with East and West one quarter (1/4) line passing through Sections Twenty-two (22) and Twenty-three (23) Township One (1) North Range Five (5) East, thence West along said one quarter (1/4) line to its intersection with the North and South line between Sections Twenty-one (21) and Twenty-two (22) Township One (1) North Range Five (5) East thence North along said line to place of beginning, containing 769.32 acres, as delineated upon that certain map entitled "Map of Woods, Wilhoit & Douglass' Lands on Middle Division of Robert's Island in county of San Joaquin, State of California", filed in the office of the County Recorder of the County of San Joaquin, State of California, November 4th, 1909, at

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3:15 o'clock P.M.

ALSO beginning at the common corner of Sections Eighteen (18) and Nineteen (19) Township One (1) North, Range Six (6) East, Mount Diablo Base and Meridian, and Sections Thirteen (13) and Twenty-four (24) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian, and running thence West along the Section line twenty-three hundred and ninety-six (2396) feet to the center of a main irrigation canal; thence along the center line of said canal, the following courses and distances, to-wit:- South 0°45' East 2631.8 feet; thence South 30°55' West 615 feet to the half section line North and South through Section Twenty-four (24) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence South 9014.3 feet along the half section line North and South through Sections Twenty-four (24) Twenty-five (25) and Thirty-six (36) thence South 13°41' East 78.2 feet; thence South 24°11' East 61.1 feet, thence South 48°15' East 1232.2 feet; thence South 33°20' East 143.9 feet; thence South 6°40' East 426.3 feet; thence South 13°59' West 4061.6 feet; thence South 43°59' West 800.4 feet to the right bank of Middle River; thence meandering the right bank of said Middle River down stream to the section line between Section Two (2) Township One (1) South Range Five (5) East, Mount Diablo Base and Meridian, and Section Thirty-five (35) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence East to the common corner of Sections One (1) and Two (2) Township One (1) South Range Five (5) East, Mount Diablo Base and Meridian and Sections Thirty-five (35) and Thirty-six (36) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence North to the quarter section corner between Sections Thirty-five (35) and Thirty-six (36) in Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West along the half section line through Sections Thirty-five (35) and Thirty-four (34) Township One (1) North Range Five (5) East, Mount Diablo Base and Meridian to the center of the levee known as the "High Ridge Levee"; thence following the meanderings of said levee, North 17°24' West 4.10 chains; thence North 34°44' West 4.59 chains; thence North 53°16' West 7.35 chains thence North 38°18' West 3.54 chains; thence North 16°41' West 5.20 chains to the South line of that certain 108.02 acre tract of land as conveyed by Jas. Reid, Stewart, Jas. Clark Burten and Jas. King, to I.N. Robinson, by deed dated August 30th, 1890 and recorded in Book "A" of Deeds Vol 69 page 432 San Joaquin County Records; thence East 11.84 chains to the Southeast corner of said tract of land; thence North 0°15' West 60 chains to the Northwest corner of the East half of the Southeast quarter of Section Twenty-seven (27) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West to the center of Section Twenty-seven (27) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence North along the half section line to the center of High Ridge Levee; thence meandering the center of High Ridge Levee in a Northeasterly direction through Sections Thirteen (13) Fourteen (14) Twenty-two (22) Twenty-three (23) and Twenty-seven (27) Township One (1) North Range Five (5) East, Mount Diablo Base and Meridian, to the center line of the right of way of the Atchison, Topeka and Santa Fe Railway Company, as located by that certain Deed dated May 21st 1898, and recorded in Book "AM" of Deeds, vol. 96 page 340 et seq. San Joaquin County Records, made and executed by John N. Woods, and E.W.S. Woods, and E.W.S. Woods, to the San Francisco and San Joaquin Valley Railway Company; thence East along the center line of said right of way of said Atchison, Topeka & Santa Fe Railway Company to the half section line North and South through Section Eighteen (18) Township One (1) North Range Six (6) East, Mount Diablo Base and Meridian; thence South along the half section line to the quarter section corner between Sections Eighteen (18) and Nineteen (19) Township One (1) North Range Six (6) East, Mount Diablo Base and Meridian; thence West to the point of beginning, and being a portion of Section Eighteen (18) Township One (1) North, Range Six (6) East, Mount Diablo Base and Meridian; all of Section Twenty-six (26) and portions of Sections Thirteen (13), Fourteen (14) Twenty-two (22) Twenty-three (23) Twenty-four (24) Twenty-five (25) Twenty-seven (27) Thirty-four (34) Thirty-five (35) and Thirty-six (36) Township One (1) North Range Five (5) East, Mount Diablo Base and Meridian, and portions of sections One (1) and Two (2)



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Township One (1) South Range Five (5) East, Mount Diablo Base and Meridian, as delineated upon that certain Map entitled "Map of Woods, Wilhoit & Douglass' Lands on Middle Division of Robert's Island in the County of San Joaquin, State of California," filed in the office of the County Recorder of the County of San Joaquin, State of California, November 4th, 1909, at 3:16 P.M. Containing 4680 acres, more or less.

HAVE AND EXCEPT that certain strip of land conveyed by Deed dated June 3rd, 1908, and by E.W.S.Woods, Mary L. Nahor and Jessie Lee Wilhoit to the Atchison Topinka & Santa Fe Railway Company, recorded in Book "A" of Deeds, Vol 173 page 299 San Joaquin County Records;

ALSO HAVE AND EXCEPT the right of way conveyed by Deed from John H.Woods and E.W.S.Woods to The San Francisco and San Joaquin Valley Railway Company and recorded in Book "A" of Deeds, Vol. 96 page 340 et seq. San Joaquin County Records.

ALSO HAVE AND EXCEPT the right of way conveyed by Deed from John H.Woods and E.W.S.Woods to The San Francisco and San Joaquin Valley Railway Company, and recorded in Book "A" of Deeds, Vol.98 page 438 et seq. San Joaquin County Records.

SECOND: The party of the second part does covenant and agree that the party of the first part may secure the delivery of water through the canals and ditches of the party of the second part, and that the party of the first part may drain the excess or waste-water created by irrigation waters from the canal system of the party of the second part into the drainage system of the party of the second part; by contract, the cost and conditions to be set forth in the contract.

THIRD: The party of the first part further agrees that the party of the second part may have the right of ingress and egress upon, over, and across the above described land for all purposes appurtenant to the management and care of its irrigation and drainage system.

IN WITNESS WHEREOF, the said first party has hereunto set his hand and seal, and the said second party has hereunto caused its corporate name to be hereunto subscribed and its corporate seal to be hereunto affixed by its Vice President and Secretary therunto duly authorized the day and year first above written.

E.W.S.Woods, Seal.  
(Corp.Seal.) Woods Irrigation Co.  
By Jessie Lee Wilhoit,  
Vice President.  
By Geo.E.Wilhoit, Secretary.

State of California, )  
County of San Joaquin, ) SS:

On this 29th day of September, in the year one thousand nine hundred and eleven, before me, Avis G. McCloud, a Notary Public in and for said County and State, residing therein, duly commissioned and qualified, personally appeared Jessie Lee Wilhoit, known to me to be the Vice President and Geo. E. Wilhoit, known to me to be the Secretary of the Corporation that executed the within instrument, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at my office in the County of San Joaquin, State of California, the day and year in this Certificate first above written. (Seal.) Avis G. McCloud, Notary Public in and for the said San Joaquin County, State of California.

State of California, )  
County of San Joaquin, ) SS:

On this 29th day of September, in the year one thousand nine hundred and eleven, before me, Avis G. McCloud, a Notary Public in and for said County of San Joaquin, State of California, residing therein, duly commissioned and qualified, personally appeared E.W.S.Woods, known to me to be the person described in, whose name is subscribed to and who executed the annexed instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at my office in the City of Stockton, County of San Joaquin, the day and year in this certificate first above written. (Notary Seal.) Avis G. McCloud, Notary Public in and for the County of San Joaquin, State of California.

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Recorded at Request of Woods Irrigation Co. Sep. 30 1911 at 08 min past 0 o'clock A.M.  
in Book No. Vol 27 of Miscellaneous, page 20 San Joaquin County Records.  
James H. Krohn, Recorder.  
John F. Anshutz, Deputy.  
Fees \$2.75.

WOODS IRRIGATION CO.

to  
WOODS E.W.B.

Contract to furnish water.

Contract to furnish water

Between the  
Woods Irrigation Co.  
And

E.W.B. Woods.

THIS AGREEMENT, Made the 20th day of September, 1911, between the Woods Irrigation Co. a corporation, organized and existing under the laws of the State of California, the party of the first part and hereinafter termed the Company, and E.W. B. Woods, of the County of San Joaquin, State of California, the second party, and hereinafter termed the consumer,

WITNESSETH: First:- That in consideration of the sum of \$10.00 Gold Coin of the United States paid by the second party to the first party, the receipt whereof is acknowledged and in consideration of further sums of money hereinafter promised to be paid by the second party, and in consideration of the reciprocal covenants herein contained, the first party agrees under the terms, conditions, limitations, and restrictions herein stated, to furnish the second party water, not exceeding at any time 44.00 cubic feet per second.

The quantity of water herein agreed to be furnished by the first party to the second party shall not exceed such quantity of water as may be required, when economically used for irrigating that certain land situated in the County of San Joaquin, State of California, and described as follows; and which is delineated upon a map hereunto attached. ~~The map sets forth said~~ land enclosed with a green border and is marked "E.W.B. Woods" upon the tract.

All that portion of the North East quarter ( N.E. 1/4 ) of the South East quarter ( S.E. 1/4 ) of section Fourteen (14) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian, lying North of the center line of the levee known as "High Ridge Levee" and South of the line drawn parallel with and 100 feet southerly at right angles from the located center line of the San Francisco, and San Joaquin Valley Railway Company's Railroad, said piece of land containing an area of 12.74 acres, more or less, as delineated upon that certain map entitled "Map of Woods, Wilhoit & Douglass' Lands on Middle Division of Robert's Island, in the County of San Joaquin, State of California," filed in the office of the County Recorder of the County of San Joaquin, State of California, on November 4th, 1909, at 3:16 o'clock P.M.

Also that certain lot, piece or parcel of land situate, lying and being in the County of San Joaquin, State of California, and bounded and particularly described as follows, to-wit:-

Beginning at the common corner of Sections Fifteen (15) Sixteen (16) Twenty-one (21) and Twenty-two (22) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West 3102-5/10 feet to the center of Honker Lake Levee; thence along the center of said Levee in a Southerly and Southeasterly direction to its junction with the cross levee between "The Pocket" and Honker Lake Tract; thence along the center of said cross levee in an easterly direction to its junction with High Ridge Levee; thence along the center of High Ridge Levee in a general Northeasterly direction to its intersection with East and West one-quarter ( 1/4 ) line passing through Sections Twenty-two (22) and Twenty-three (23) Township One (1) North Range Five (5) East; thence West along said one-quarter ( 1/4 ) line to its intersection with the North and South line between Sections Twenty-one (21) and Twenty-two (22) Township One (1) North, Range Five (5) East; thence North along said line to place of beginning, containing 769-32/100 acres, as delineated upon that certain map entitled "Map of Woods, Wilhoit, & Douglass' Lands on Middle Division of Robert's Island in County of San Joaquin, State of California," filed in the office of the County Recorder of the County of San Joaquin, State of California, November 4th, 1909, at 3:15 o'clock P.M.

Also beginning at the common corner of Sections Eighteen (18) and Nineteen (19) Township One (1) North, Range Six (6) East, Mount Diablo Base and Meridian, and Sections Thirteen (13) and Twenty-four (24) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian,

**MSS Exhibit 1J**



Recorded at Request of Woods Irrigation Co. Sep. 30 1911 at 10 min past 9 o'clock A.M.  
in Book G. Vol 27 of Miscellaneous, page 38 San Joaquin County Records.

Form 42-76.

James H. Koch, Recorder.  
John S. Anshel, Deputy.

WOODS IRRIGATION CO.

WOODS E.W.B.

Contract to furnish water.

Contract to furnish water

Between the  
Woods Irrigation Co.  
And

E.W.B. Woods.

THIS AGREEMENT, Made the 20th day of September, 1911, between the Woods Irrigation Co. a corporation, organized and existing under the laws of the State of California, the party of the first part and hereinafter termed the Company, and E.W. B. Woods, of the County of San Joaquin, State of California, the second party, and hereinafter termed the consumer,

WITNESSETH: First:- That in consideration of the sum of \$10.00 Gold Coin of the United States paid by the second party to the first party, the receipt whereof is acknowledged and in consideration of further sums of money hereinafter promised to be paid by the second party, and in consideration of the reciprocal covenants herein contained, the first party agrees under the terms, conditions, limitations, and restrictions herein stated, to furnish the second party water, not exceeding at any time 44.80 cubic feet per second.

The quantity of water herein agreed to be furnished by the first party to the second party shall not exceed such quantity of water as may be required, when economically used for irrigating that certain land situated in the County of San Joaquin, State of California, and described as follows; and which is delineated upon a map herewith attached. ~~The~~ map sets forth said land enclosed with a green border and is marked "E.W.B. Woods" upon the tract.

All that portion of the North East quarter ( N.E. 1/4 ) of the South East quarter ( S.E. 1/4 ) of section Fourteen (14) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian, lying North of the center line of the levee known as "High Ridge Levee" and South of the line drawn parallel with and 100 feet southerly at right angles from the located center line of the San Francisco, and San Joaquin Valley Railway Company's Railroad, said piece of land containing an area of 12.74 acres, more or less, as delineated upon that certain map entitled "Map of Woods, Wilhoit & Douglass' Lands on Middle Division of Robert's Island, in the County of San Joaquin, State of California," filed in the office of the County Recorder of the County of San Joaquin, State of California, on November 4th, 1909, at 3:15 o'clock P.M.

Also that certain lot, piece or parcel of land situate, lying and being in the County of San Joaquin, State of California, and bounded and particularly described as follows, to-wit:-

Beginning at the common corner of Sections Fifteen (15) Sixteen (16) Twenty-one (21) and Twenty-two (22) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West 3102-5/10 feet to the center of Honker Lake Levee; thence along the center of said Levee in a Southerly and Southeasterly direction to its junction with the cross levee between "The Pocket" and Honker Lake Tract; thence along the center of said cross levee in an easterly direction to its junction with High Ridge Levee; thence along the center of High Ridge Levee in a general Northwesterly direction to its intersection with East and West one-quarter (1/4) line passing through Sections Twenty-two (22) and Twenty-three (23) Township One (1) North Range Five (5) East; thence West along said one-quarter (1/4) line to its intersection with the North and South line between Sections Twenty-one (21) and Twenty-two (22) Township One (1) North, Range Five (5) East; thence North along said line to place of beginning, containing 769-32/100 acres, as delineated upon that certain Map entitled "Map of Woods, Wilhoit, & Douglass' Lands on Middle Division of Robert's Island in County of San Joaquin, State of California," filed in the office of the County Recorder of the County of San Joaquin, State of California, November 4th, 1909, at 3:15 o'clock P.M.

Also beginning at the common corner of Sections Eighteen (18) and Nineteen (19) Township One (1) North, Range Six (6) East, Mount Diablo Base and Meridian, and Sections Thirteen (13) and Twenty-four (24) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian,



and running thence West along the Section line twenty-three hundred and ninety-six feet to the center of a main irrigation canal, thence along the center line of said canal, the following courses and distances, to-wit: South 0° 46' East 2631.8 feet; thence South 30° 56' West 616 feet to the half section line North and South through Section Twenty-four (24) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence South 9014.3 feet along the half section line North and South through Sections Twenty-four (24) Twenty-five (25) and Thirty-six (36) thence South 13° 41' East 78.2 feet; thence South 26° 11' East 61.1 feet; thence South 48° 15' East 1232.2 feet; thence South 32° 20' East 143.9 feet; <sup>thence South 6° 49' East 426.8 feet</sup> thence South 13° 59' West 4661.8 feet; thence South 43° 59' West 600.4 feet to the right bank of Middle River; thence meandering the right bank of said Middle River, down stream, to the section line between Section Two (2) Township One (1) South, Range Five (5) East, Mount Diablo Base and Meridian, and Section Thirty-five (35) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence East to the common corner of Sections One (1) and Two (2) Township One (1) South Range Five (5) East, Mount Diablo Base and Meridian, and sections Thirty-five (35) and Thirty-six (36) Township One (1) North Range Five (5) East, Mount Diablo Base and Meridian; thence North to the quarter section corner between Sections Thirty-five (35) and Thirty-six (36) in Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West along the half section line through Sections Thirty-five (35) and Thirty-four (34) Township One (1) North, Range Five (5) East Mount Diablo Base and Meridian, to the center of the levee known as the "High Ridge Levee" thence following the meanderings of said levee, North 17° 24' West 4.10 chains; thence North 34° 44' West 4.50 chains; thence North 53° 16' West 7.35 chains; thence North 38° 18' West 3.54 chains; thence North 16° 41' West 5.20 chains to the South line of that certain 108.02 acre tract of land as conveyed by Jas. Reid Stewart, Jas. Clark Buntan and Jas. King to I. N. Robinson by Deed dated August 30th, 1890, and recorded in Book "A" of Deeds, Vol 89, page 438 San Joaquin County Records; thence East 11.64 chains to the South East corner of said tract of land; thence North 0° 15' West 60 chains to the North West corner of the East half of the South East quarter of Section Twenty-seven (27) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West to the center of Section Twenty-seven (27), Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence North along the half section line to the center of High Ridge Levee; thence meandering the center of High Ridge Levee in a North Easterly direction through Sections Thirteen (13) Fourteen (14) Twenty-two (22) Twenty-three (23) and Twenty-seven (27) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian, to the center line of the right of way of the Atchison, Topeka and Santa Fe Railway Company, as located by that certain deed dated May 21st, 1898 and recorded in Book "A" of Deeds Vol 96 page 340 et seq. San Joaquin County Records, made and executed by John H. Woods, and E.W. B. Woods, to San Francisco and San Joaquin Valley Railway Company; thence East along the center line of said right of way of said Atchison, Topeka and Santa Fe Railway Company to the half section line North and South through Section Eighteen (18) Township One (1) North, Range Six (6) East, Mount Diablo Base and Meridian; thence South along the half section line to the quarter section corner between Sections Eighteen (18) and Nineteen (19) Township One (1) North, Range Six (6) East, Mount Diablo Base and Meridian; thence West to the point of beginning, and being a portion of Section Eighteen (18) Township One (1) North Range Six (6) East, Mount Diablo Base and Meridian; all of Section Twenty-six (26) and portions of Sections Thirteen (13), Fourteen (14) Twenty-two (22) Twenty-three (23) Twenty-four (24) Twenty-five (25) Twenty-seven (27) Thirty-four (34) Thirty-five (35) and Thirty-six (36) township One (1) North Range Five (5) East, Mount Diablo Base and Meridian, and portions of Sections One (1) and Two (2) Township One (1) South, Range Five (5) East, Mount Diablo Base and Meridian, as delineated upon that certain Map entitled "Map of Woods, Wilhoit & Douglass' Lands on Middle Division of Robert's Island in the County of San Joaquin, State of California," filed in the office of the County Recorder of the County of San Joaquin, State of California, November, 4th, 1909, at 3:15 P.M. and containing 4480 acres, more or less.

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SAVE AND EXCEPT, that certain strip of land conveyed by Deed dated June 3rd, 1908, made by E.W.S.Woods, Mary L.Naher and Jessie Lee Wilhoit, to the Atchison Topeka and Santa Fe Railway Company, recorded in Book "A" of Deeds, Vol. 173 page 200, San Joaquin County Records.

ALSO SAVE AND EXCEPT, the right of way conveyed by Deed from John N.Woods, and E.W.S.Woods, to The San Francisco and San Joaquin Valley Railway Company, and recorded in Book "A" of Deeds, Vol 06 page 340 et seq. San Joaquin County Records.

ALSO SAVE AND EXCEPT the right of way conveyed by Deed from John N.Woods, and E.W.S.Woods, to The San Francisco and San Joaquin Valley Railway Company and recorded in Book "A" of Deeds, Vol. 98 page 458 et seq. San Joaquin County records.

The agreement of the first party to furnish water to the second party is hereby expressly limited to such water as may be used to irrigate the said lands above described, or any subdivision thereof. The said water shall be so furnished by the first party to the second party from the 29th day of September, 1911, until the 14th day of December, 1959 and thereafter in perpetuity.

It is understood and agreed between the parties hereto that this contract is not intended to and does not create or convey any lien, estate, easement, or servitude, legal or equitable, in any manner upon or in the canal or ditch of the first party, or in or to the water flowing therein or which may hereafter flow therein, nor does this contract create any equitable covenant encumbering the said canals, and disposition thereof by the first party.

The rights of the second party herein contracted for are to have the water furnished in perpetuity as provided in this contract by the first party, and in case of default of the Company to furnish water as herein agreed, where the same is caused by accident, hostile diversion, legal interference, or any act of God, the Company shall not in any way be held responsible for the damage caused by such default.

SECOND: For the water herein agreed to be furnished, the consumer in consideration of the premises, hereby promised, promises and covenants to pay in gold coin of the United States to the Company or its agents as may hereafter be provided, at its or their office as follows:-

On the first Monday in each September, after the first Monday in September, 1911, until the year 1959, and on the first Monday of each September, thereafter, so long as said water shall be furnished under contract, the sum of \$1.00 together with that sum of money, the amount of which shall be determined as follows:-

The total expense for the maintenance and replacement of the canal and structures, and the expense of the delivery of water, and of extension, and of the removal of seepage waters, after the same has reached the common out-let, or out-lets, as may be provided by the Company, and of the operation of the Company's affairs, all cost of litigation, and all other expense incidental to the operation of the canal system shall be pro-rated according to the acreage served with water by said Company and each and every acre herein above described shall contribute and pay that amount to the Company on the day as hereinabove set forth. The item of replacement shall be fixed by the Company, based upon the depreciation of the structures, and shall be kept by the Company and used for that purpose only. Should the fund created thereby, at any time, exceed the sum of the probable cost of the replacement, that particular part of the

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sums of money to be paid the Company shall be omitted until such time as it would become necessary to replenish the fund. The net revenue derived from the sale of water to any other lands not described in this agreement shall be applied to the maintenance of the canal system and each and every acre shall receive its proportional decrease on account of such revenue.

THIRD: Should the Consumer default in the payment of any sum or sums herein promised to be paid at the time and in the manner as above specified, a suit may be commenced to enforce collection of the same by foreclosure and sale of the premises described above, or any sub-division thereof that may become delinquent.

The Company and the Consumer do hereby agree that the delivery of water and the main-  
*tenance* and operation of the canal system shall be conducted according to a certain set of rules and regulations, as adopted by the Company on the 29th day of September, 1911, and for a greater certainty a copy of them are herein inserted and made a part of this agreement and are as follows:-

There shall be an office of superintendent of canals and the holder shall serve at the pleasure of the Board of Directors and shall receive such compensation as they may fix for his services. A part of the duties of the superintendent of canals shall be as follows:-

The duties of the superintendent of canals shall be to maintain the canal system; to supervise the delivery of the water in accordance with the Company's rules and regulations; to make such replacements and extensions, which may include plans and specifications, as furnished by the Board of Directors. He shall furnish and deliver monthly to the secretary of of the Company, a full statement of all expenditures which shall include all labor and material used. He shall report monthly to the Company the delivery of water to the several Consumers, giving date and place of consumption. He shall report the necessity of drainage, repair and replacement to the Board of Directors whenever it becomes evident of the necessity.

There shall be an office of engineer, who shall serve at the pleasure of the Board of Directors and shall receive such compensation as the Board of Directors may agree upon. The duties of the engineer shall be to plan the construction of ditches, gates, etc. to report upon all engineering matters as the Board of <sup>Directors may direct and hold the Superintendent of Canals</sup> ~~canals~~ in such work as the Board of Directors may instruct him.

#### GENERAL CONSTRUCTION:

The Company shall construct, maintain and replace all main canals, laterals, stream diversion gates, checks, drops and the side-gates as hereinafter provided, and all

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drainage gates, siphons, and structures necessary to suffice the complete drainage of the lands, after the water has been conveyed to the banks of the canals constructed by the Company for that purpose.

The main canal and laterals, as constructed by the Company shall be such as to furnish water to all of the land at such places as may be necessary to allow the subdivision of the land in tracts of 40 acres, being of the general dimensions of 10 by 20 chains, the lesser dimension bordering along the canal.

GATES, CHECKS AND STRUCTURES:

The Company shall construct all structures necessary to convey the waters through its canals and laterals and to maintain the water at such reasonable levels as to supply the land as hereinabove described, excepting therefrom such acres as are hereafter provided for, and all other tracts so situated as not to allow the placing of water upon them.

The side-gates shall be constructed by the Company and paid for by the Consumer in the manner, and at the time and place as hereinabove provided for the payment for the delivery of water. The Company shall have full charge and control of all side-gates and shall maintain them thereafter.

DRAINAGE.

The Company shall construct and maintain drainage canals, pumps and appliances, sufficient to relieve the irrigated land of waste or surplus waters.

The cost of the construction of any drainage system which suffices the drainage of any certain tract, under contract, shall be borne by that tract. The cost shall be pro-rated according to the acreage, and the payment for such drainage systems shall become due and payable as provided above for the payment of the delivery of water, and shall be subject to all of the terms and conditions thereof.

The Company shall construct that part, or parts of the drainage system in which more than one tract participates and the cost shall be charged to the drainage account and shall be borne proportionately by all land under this contract and all other lands coming under subsequent contracts. The Company shall have full charge of such drainage system and its maintenance thereafter shall be borne by the company.

The Consumer shall convey the water to the drainage canal as constructed by the Company. Should it become evident that a Consumer should be neglectful of the use of the water, and create unnecessary seepage, the Company, at its election, may direct his method of irrigation and fix the amount of water he shall receive.

*Superintendent  
Canals*



APPLICATION FOR WATER.

The Consumer shall make a written application for the delivery of water; said application shall be made at least five days prior to the time set forth in the application as the date of delivery.

Should it be impossible or unreasonable for the Company to deliver the water in accordance with the application, it will deliver the water as soon thereafter as it is practical for the Company so to do. The Consumer must receive the water in rotation with other Consumers, should it be deemed the most practical method by the Company.

HANDLING THE GATES:

The Consumer shall not open the side-gates which furnishes water upon his or any other land or in any manner interfere or adjust the gates in the main canal or branches thereof, unless he be given written permission by the Company's superintendent to do so. Should the Consumer violate this rule the Company shall have the right to charge him for all trouble and expense incurred, and that charge shall become a part of the charge for water and collectable at the date and in the manner as specified in the contracts for water. The Company shall be the sole judge of such trouble and expense.

USE OF WATER:

The Consumer shall use the water in a most economical manner and shall not waste the water either by neglect or excessive use. Should the Consumer allow the water to damage any other property he shall be responsible for such damages and in no case shall the Company be held for such neglect.

The Consumer shall not sell or dispose of any of the water, furnished under this contract, to any other land or person, or allow the water to flow off his land upon the lands of others.

Should the supply of water be diminished so that the quantity available would not furnish all of the lands with the amount desired, then in that event the quantity available shall be pro-rated according to the acreage of each Consumer.

INGRESS AND EGRESS.

The authorized agent of the Company and his employees shall have free access at all times to the lands irrigated from the Company's canal, to make surveys and measurements as deemed necessary, to examine the flow of water, to patrol, police, repair, maintain and replace all canals and structures appurtenant thereto, both for the supply of irrigating waters and drainage and to use necessary earth to make such repairs.

Fourth:- That the Consumer agrees that the Company may have the right to take charge of any canal which has been constructed by the Consumer for the purpose of supplying water to a part of his premises, provided that the said premises have been so subdivided as to leave a tract of land not adjacent to any canal. Then in the case of subdivision of a tract and

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the sale of a part thereof, the grantor shall provide means for the supplying of irrigating waters and the drainage of the tract so subdivided. The Company may at its election take possession of said supply branch and drainage way as hereinabove provided.

Fifth:- Included in the description of the land hereinabove described are 1300 acres of land situated in the tract colored red as delineated upon the map hereinabove included which are described as follows, to-wit:-

The Honker Lake Tract and a tract of fifty-one (51) acres in Section 23, T. 1 N.R. 5 E. and also the following described tracts; to-wit:-

A triangular piece of land in the North West corner of the South half of section Thirteen (13) whose Northern and Western boundaries are 20 chains in extent; also all of the Western part of the Southern half of Section Fourteen (14), save a triangular piece of land in the South Eastern corner whose Southern boundary is 30 chains and its Eastern boundary is 20 chains in extent; Also a triangular piece of land situated in the North Western part of Section Twenty-three (23) whose Northern boundary is 52 chains and its Western boundary is 80 chains; also that part of Section Twenty-seven (27) lying in the Northeast quarter which is situated West of a line which commences at a point 10 chains West of the North Eastern corner, running thence South Westerly to the Southeast corner of the Southwest quarter of the Northeast quarter of said section; also all that part of Section Thirty-four (34) as described in the tract under contract; also the Southern part of the Northern half of Section Thirty-five (35) whose Western boundary is 30 chains and whose Eastern boundary is 10 chains; also the western half of the South West quarter of Section Thirty-six (36) all in T. 1 N.R. 5 E. also fractional part of the Western half of the Northwest quarter of section One (1) and the fractional part of the Northeast quarter of Section Two (2) in T. 1. S.R. 5 E. which are <sup>not</sup> now within the reasonable possibilities of irrigation of the Company's canals and which are hereinafter termed "dry lands."

It is mutually understood that the waters cannot, under the present extent of the canal system, be spread upon the surface of said 1300 acres of land, but can be from a contemplated extension of the Company's canals. This extension may include a change in the point of diversion from the river so that a ditch line may be carried along the high reaches of the "dry tracts" It is hereby understood and agreed by the consumer and the Company that the Consumer may place water upon this "dry tract" at his election, conditioned that should the Consumer avail himself of this privilege he shall give written notice to the Company of his wishes. The Company will as soon as practicable thereafter construct such extensions, or diversions, which are and shall be considered a part of the present system of canals, and upon the completion of said canals the land as applied for by the Consumer, to be irrigated, shall become a Consumer in perpetuity and shall be subject to all the conditions of this contract. Should it become evident to the Company that said "dry lands" or any part thereof, were sub-irrigated regardless of any act of the Consumer, the Company may, at its election, place this land so sub-irrigated under the full conditions of this contract, by serving written notice upon the owner of the tract.

Sixth:- This agreement is to run with the land and become a part thereof, and shall be a lien upon the tract or any sub-division thereof; which lien may be foreclosed to secure the payments as provided for in the agreement, and the sub-division and sale of any or all of the hereinabove described tract shall in no way effect this agreement, and the agreement shall run with each and every sub-division thereof as though it were the whole.

IN WITNESS WHEREOF, the said first party, termed the "company" has caused the corporate name to be herein subscribed and its corporate seal to be hereunto affixed by its President and Secretary therunto duly authorized, and the second party has hereunto set his hand

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Corp. Seal.) WOODS IRRIGATION CO.

By Jessie Lee Wilhoit, Seal.  
Vice President.

And Geo. E. Wilhoit, Seal.  
Secretary.

E.W.S Woods, Seal.

State of California, )  
County of San Joaquin, ) SS:

On this 29th day of September, in the year one thousand nine hundred and eleven, before me, Avis G McCloud, a Notary Public in and for said County and State, residing therein, duly commissioned and qualified, personally appeared Jessie Lee Wilhoit, known to me to be the Vice President and Geo. E. Wilhoit, known to me to be the Secretary of the Corporation that executed the within instrument, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official seal at my office in the County of San Joaquin, State of California, the day and year in this Certificate first above written.

(Seal.)

Avis G McCloud,

Notary Public in and

for said San Joaquin County, State of California.

State of California, )  
County of San Joaquin, ) SS:

On this 29th day of September, in the year one thousand nine hundred and eleven, before me, Avis G. McCloud, Notary Public in and for said County of San Joaquin, State of California, residing therein, duly commissioned and qualified, personally appeared, E.W.S. Woods, known to me to be the person mentioned in, whose name is subscribed to, and who executed the annexed instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at my office in the City of Stockton, County of San Joaquin, the day and year in this certificate first above written.

(Notary Seal.)

Avis G. McCloud,

Notary Public in and

for the County of San Joaquin, State of California.













# MSS Exhibit 2A



**Pak & Young -  
MSS Exhibit 2A**

**San Joaquin River**

**Lands provide  
riparian rights  
to Parcel**

**CP 2718  
1/21/1869**

**Whiskey Slough**

**APPROXIMATE LOCATION  
OF TRACT #131-180-07**

**Burns Cutoff**

**San Joaquin River**

**CP 2864  
7/26/1869**

**Middle River**

**APN 131-180-07 was part of the  
CP issued by the State of  
California in 1869. CP 2864 is  
contiguous to Burns Cutoff, San  
Joaquin River, Middle River,  
and Whiskey Slough.**

**CP 3321  
7/14/1870**

**EL PESCADERO**

**MSS Exhibit 2B**



**Pak & Young -  
MSS Exhibit 2B**

**San Joaquin River**

 Lands provide riparian rights to Parcel

 Lands do NOT provide riparian rights to Parcel

**CP 2718  
1/21/1869**

**Whiskey Slough**

**Burns Cutoff**

**APPROXIMATE LOCATION  
OF TRACT #131-180-07**

**San Joaquin River**

**CP 2864  
7/26/1869**

**Middle River**

**In 1876, a federal patent issued for parcel that included CP 2718 and CP 2864.**

**CP 3321  
7/14/1870**

**EL PESCADERO**

# MSS Exhibit 2C



Pak & Young -  
MSS Exhibit 2C

San Joaquin River

Lands provide riparian rights to Parcel

Lands do NOT provide riparian rights to Parcel

CP 2718  
1/21/1869

Whiskey Slough

APPROXIMATE LOCATION  
OF TRACT #131-180-07

Burns Cutoff

San Joaquin River

CP 2864  
7/26/1869

Middle River

In 1876, APN 131-180-07 was conveyed in a larger parcel which maintained contiguity with Burns Cutoff and Whiskey Slough, but was no longer contiguous to Middle River.

CP 3321  
7/14/1870

EL PESCADERO

# MSS Exhibit 2D

**Pak & Young -  
MSS Exhibit 2D**

**San Joaquin River**

Lands do NOT  
provide riparian  
rights to Parcel

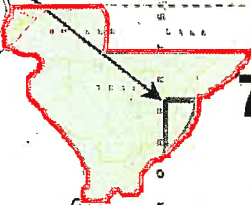
**CP 2718  
1/21/1869**

**Whiskey Slough**

**Burns Cutoff**

**San Joaquin River**

**APPROXIMATE LOCATION  
OF TRACT #131-180-07**



**CP 2864  
7/26/1869**

**Middle River**

In 1896, APN 131-180-07 was conveyed as part of a larger parcel. This conveyance severed contiguity with all natural waterways. Although the parcel remained adjacent to present-day extensions of Whiskey and Trapper Sloughs, these waterways are not natural and therefore do not preserve riparian rights.

**CP 3321  
7/14/1870**



MSS Exhibit 2E

Pak & Young -  
MSS Exhibit 2E

San Joaquin River

Lands do NOT  
provide riparian  
rights to Parcel

CP 2718  
1/21/1869

Whiskey Slough

APPROXIMATE LOCATION  
OF TRACT #131-180-07

Burns Cutoff

San Joaquin River

CP 2864  
7/26/1869



Middle River

In 1922, APN 131-180-07 was conveyed  
in a larger parcel. That conveyance  
severed contiguity with any water course.

CP 3321  
7/14/1870

EL PESCADERO

**MSS Exhibit 2F**

**Pak & Young -  
MSS Exhibit 2F**

**San Joaquin River**

**Lands do NOT  
provide riparian  
rights to Parcel**

**CP 2718  
1/21/1869**

**Whiskey Slough**

**Burns Cutoff**

**San Joaquin River**

**APPROXIMATE LOCATION  
OF TRACT #131-180-07**

**CP 2864  
7/26/1869**

**Middle River**

**In 1928, a deed brought together lands  
conveying the prior 769 acre parcel.**

**CP 3321  
7/14/1870**

**EL PESCADERO**

# MSS Exhibit 2G



Pak & Young -  
MSS Exhibit 2G

San Joaquin River

Lands do NOT  
provide riparian  
rights to Parcel

CP 2718  
1/21/1869

Whiskey Slough

Burns Cutoff

San Joaquin River

APPROXIMATE LOCATION  
OF TRACT #131-180-07

CP 2864  
7/26/1869

Middle River

Later in 1928, APN 131-180-07 was  
conveyed an even larger parcel.

CP 3321  
7/14/1870

EL PESCADERO

# MSS Exhibit 2H

Pak & Young -  
MSS Exhibit 2H

San Joaquin River

Lands do NOT  
provide riparian  
rights to Parcel

CP 2718  
1/21/1869

Whiskey Slough

APPROXIMATE LOCATION  
OF TRACT #131-180-07

Burns Cutoff

San Joaquin River

CP 2864  
7/26/1869

Middle River

CP 3321  
7/14/1870

In 1988, a conveyance formed the  
40 acre tract currently identified as  
APN 131-180-07.



# MSS Exhibit 3

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Kenneth Petruzzelli, State Bar No. 227192  
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3 Chico, California 95927  
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6 Clifford W. Schulz, State Bar No. 039381  
Stanley C. Powell, State Bar No. 254057  
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16 Attorneys for SAN LUIS & DELTA-MENDOTA  
WATER AUTHORITY

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BEFORE THE CALIFORNIA

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STATE WATER RESOURCES CONTROL BOARD

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In the Matter of Draft Cease and Desist  
22 Order No. 2009-00XX-DWR Against  
Yong Pak and Sun Young

**TESTIMONY OF PHILIP JOHNSON**

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25 My name is Philip Johnson, I am a supervising engineering geologist at Cotton, Shires and  
26 Associates. I have over 19 years experience in the field of engineering geology, working on  
27 projects throughout California, including geologic investigations involving slope stability,  
28 seismic hazards, sea bluff retreat, groundwater, sedimentary geology, and other geotechnical

1 issues. A component of this work includes field mapping and aerial photograph interpretation.  
2 My statement of qualifications is marked as MSS Exhibit 3A.

3 I reviewed ten historical, single-framed aerial photographs of APN No. 131-180-07, on  
4 Roberts Island in San Joaquin County, California ("Parcel") taken from 1937 to 2000.

5 The August 1937 and May 1940 aerial photographs show that, at those times, the entire  
6 Parcel contained irrigated row crops. MSS Exhibits 3B and 3C.

7 The July 1957 aerial photograph shows that, at that time, 94.2 percent of the Parcel was  
8 under cultivation as row crops and irrigated; the remaining 5.8 percent was disturbed but not  
9 planted. MSS Exhibit 3D.

10 The June 1963 and August 1963 aerial photographs show that, at those times, 94.2 percent  
11 of the Parcel was idle agricultural land that was not being irrigated. MSS Exhibits 3E and 3F.

12 The May 1968, April 1985, June 1987, and March 1993 aerial photographs show that, at  
13 those times, 94.2 percent of the Parcel contained irrigated row crops, and the remaining 5.8  
14 percent consisted of disturbed land that was not under cultivation. MSS Exhibits 3G, 3H, 3I, and  
15 3J.

16 The September 2000 aerial photograph shows that, at that time, 68.2 percent of the Parcel  
17 had been planted with row crops and then harvested, and 25.7 percent of the Parcel contained  
18 irrigated row crops that had not yet been harvested; 6.1 percent of the Parcel consisted of  
19 disturbed land that was not planted. MSS Exhibit 3K.

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**MSS Exhibit 3A**

## **Philip L. Johnson**

Supervising Engineering Geologist

### **Registration**

Registered Geologist in California, RG 6196  
Certified Engineering Geologist in California, CEG 2019

### **Education**

M.S., Geology: San Jose State University, San Jose, California, 1990  
B.A., Geology: San Francisco State University, San Francisco, California, 1987

### **Areas of Specialty**

Investigation and repair of landslides; landslide mapping and aerial photograph interpretation; subsurface investigation of landslides; geotechnical construction defect litigation support; dam site investigations; seismic hazard assessment; and sedimentary geology

### **Representative Experience**

Mr. Johnson has over 19 years of experience in the field of engineering geology, working on projects throughout California. He has been involved with numerous geologic investigations involving slope stability, seismic hazards, sea bluff retreat, groundwater, and other geotechnical issues. He also regularly participates in peer review for communities in the San Francisco bay area. He has a variety of areas of expertise including:

- Geologic characterization of landslides for design of mitigation measures. He has investigated numerous landslides ranging from large, deep-seated landslide complexes to shallow colluvial landslides and debris flows.
- Landslide mapping and aerial photograph interpretation. He has mapped landslides in a wide variety of terrain utilizing both field mapping and aerial photograph interpretation.
- Subsurface investigation utilizing downhole logging of large-diameter boreholes, core logging, and trench logging methods.
- Engineering geologic aspects of surface mine reclamation with emphasis on stability of former mine slopes.
- Assessment of seismic ground shaking and fault rupture hazards for large engineered structures as well as light construction. Projects include fault rupture hazard and paleoseismic investigations on the San Andreas, Las Positas, and Valley Side faults.
- Investigation of geotechnical construction defect and building distress related to expansive soils, fill settlement, incipient slope deformation, and landsliding.
- Engineering geologic investigation of dam sites. He was Project Geologist for two potential dam sites for East Bay Municipal Utility District. He also participated in a seismic hazard investigation of

the Foothills fault system for the New Hogan Dam in the Sierra Nevada foothills. He also mapped the geology exposed during construction of a soft ground tunnel at Crystal Springs Reservoir. Recently, he conducted subsurface investigation, field mapping, and permeability testing at an existing dam on the Stanislaus River.

- Fluvial sedimentology with particular emphasis on the use of detailed fluvial architecture to evaluate tectonic basin subsidence and basin history.
- Hydrostratigraphic investigations utilizing core samples, borehole geophysical, and hydrogeologic data.

Recent projects include photogeologic and field mapping of landslides in the Ridge Basin in Los Angeles County; photogeologic mapping of fluvial geomorphic features in the San Joaquin River delta; downhole logging of large-diameter borings during investigation of landslides in the City of Richmond; inspection and evaluation of quarry slopes in Santa Clara County; investigation of an incipient landslide in Clayton; evaluation of fault rupture hazards on the east side of the Coast Ranges; investigation of debris flows in Pacifica, Lafayette, and Orinda; photogeologic evaluation of landslide and fault rupture hazards in Santa Rosa; subsurface investigation of a large, deep-seated landslide in Santa Barbara; a fault rupture hazard investigation along the San Andreas fault in Pacifica; investigation of a large, deep-seated coastal bluff failure in Daly City; subsurface investigation of a gravel quarry slope failure in alluvial and lacustrine sediments in Livermore; photogeologic and field mapping to evaluate geologic constraints to a proposed bicycle trail alignment adjacent to a large landslide complex in San Jose.

As a graduate student, Mr. Johnson studied Tertiary fluvial rocks exposed on the flanks of the Rock Springs Uplift in southwest Wyoming. Based on the spacing of fluvial channels within overbank deposits and thickening of synorogenic sedimentary packages, he was able to evaluate the timing and pattern of Paleocene to early Eocene subsidence across the southern Greater Green River Basin and relate this to thrust faulting within the Uinta and Rock Springs uplifts.

### **Professional History**

Supervising Engineering Geologist, 1995-Present; Cotton, Shires and Associates, Los Gatos, California  
Staff Geologist, 1992-1995; Dames & Moore, San Francisco, California  
Staff Geologist, 1990-1992; Earth Sciences Associates, Palo Alto, California

### **Professional Affiliations**

American Geophysical Union  
Association of Engineering Geologists  
Geological Society of America  
International Association of Sedimentologists  
Society for Sedimentary Geology (SEPM)

### **Publications**

Johnson, Philip L. 2009, Landslides and geomorphic mapping along the Rodgers Creek - Healdsburg fault, Sonoma County, California: in *Proceedings of the 52nd Annual Meeting of the Association of Engineering and Environmental Geologists*, Lake Tahoe, California, p. 81



Johnson, Philip L. and David W. Andersen, 2009, Concurrent growth of uplifts with dissimilar orientations in the southern Green River Basin, Wyoming: implications for Paleocene-Eocene patterns of foreland shortening: *Rocky Mountain Geology*, v. 44, p. 1-16

Johnson, Philip L., Marcum, Dale R. 2007, The Northridge Bluff Landslide: rapid bluff retreat associated with a major coastal landslide in Daly City, California: in Schaefer, V. R., Schuster, R. L., and Turner, A. K., eds., *Conference Presentations, First North American Landslide Conference*, Association of Environmental and Engineering Geologists Special Publication No. 23, p. 1694-1706

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Johnson, Philip L., 2005, The Glen Creek Landslide: a case study in the misuse of the Jahnsian steps during hillslope development: in Ehlen, J., Haneberg, W.C., and Larson, R. (eds.) *Humans as Geologic Agents*, Geological Society of America, Reviews in Engineering Geology, v.11, no. 1, p. 111-121.

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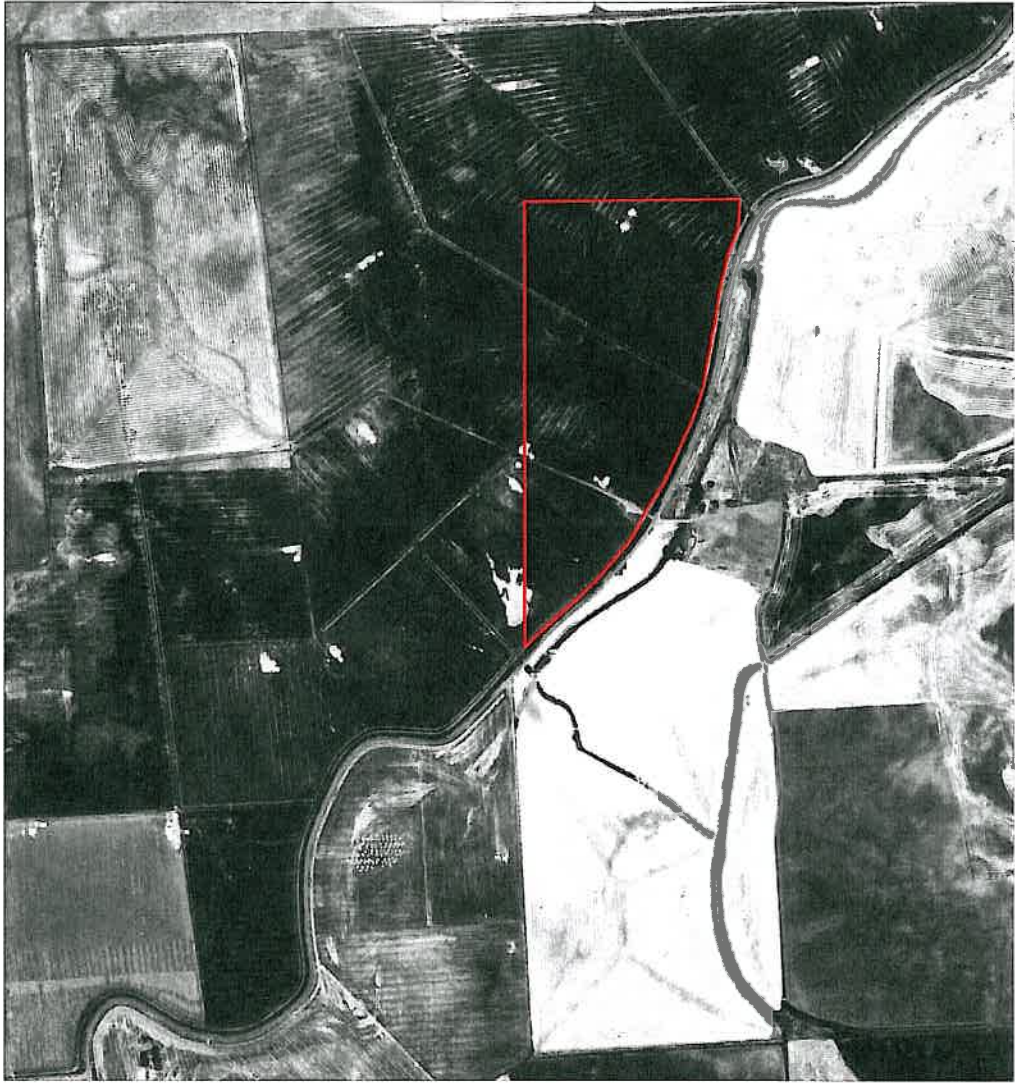
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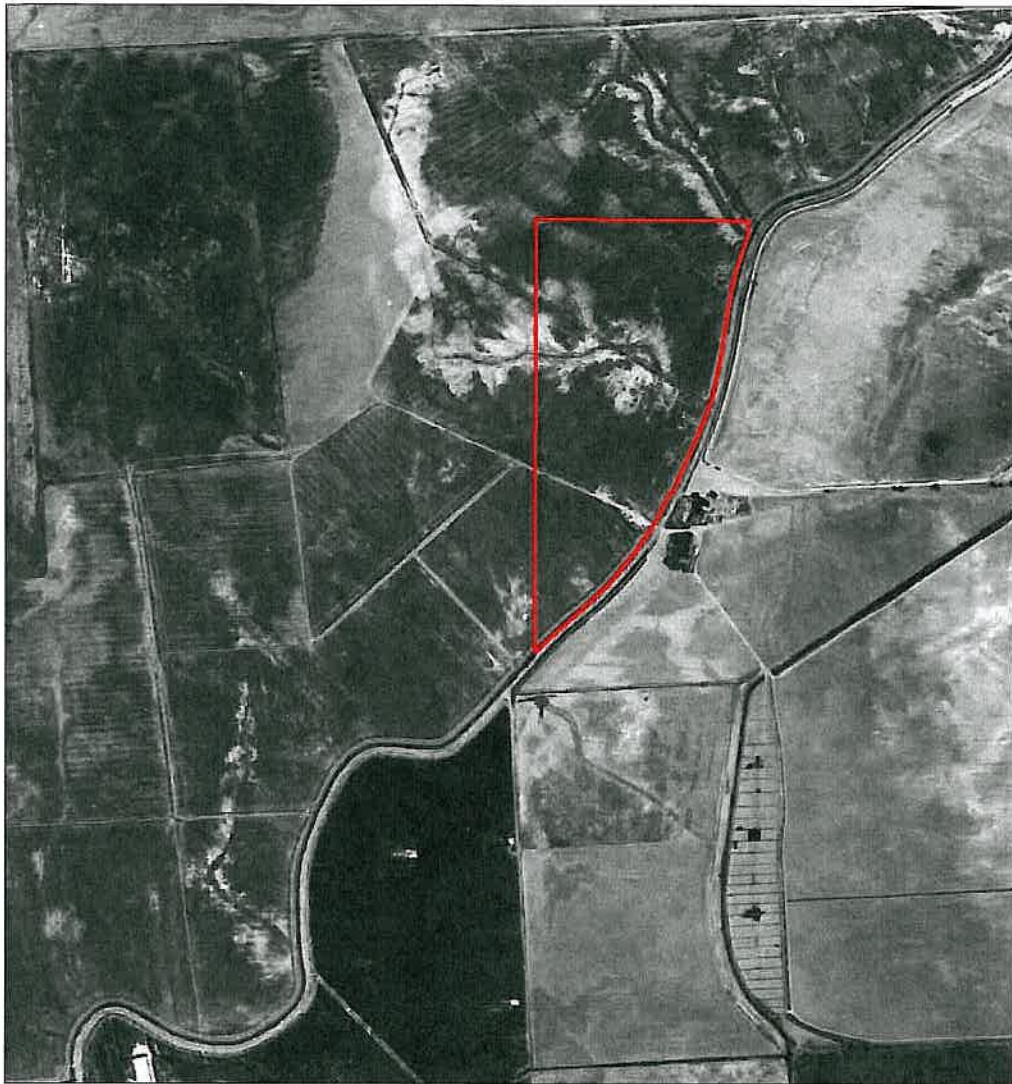
**MSS Exhibit 3B**



Pak and Young  
APN 131-180-07  
August 1937

MSS Exhibit 3C





**Pak and Young  
APN 131-180-07  
May 1940**

# MSS Exhibit 3D



Pak and Young  
APN 131-180-07  
July 1957

**MSS Exhibit 3E**





Pak and Young  
APN 131-180-07  
June 1963

**MSS Exhibit 3F**



Pak and Young  
APN 131-180-07  
August 1963

**MSS Exhibit 3G**





**Pak and Young  
APN 131-180-07  
May 1968**

# MSS Exhibit 3H



**Pak and Young**  
**APN 131-180-07**  
**April 1985**

**MSS Exhibit 3I**





**Pak and Young  
APN 131-180-07  
June 1987**

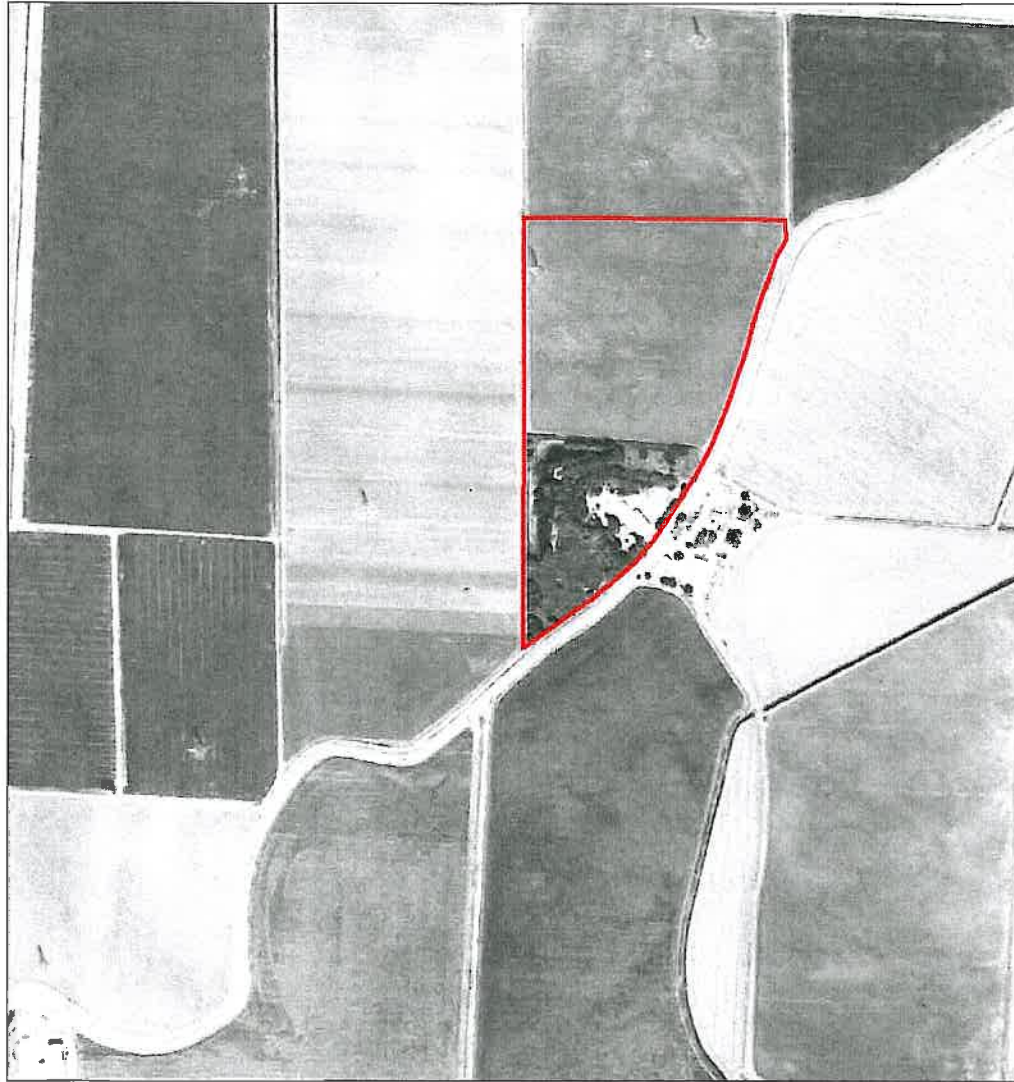
**MSS Exhibit 3J**



**Pak and Young**  
**APN 131-180-07**  
**March 1993**

**MSS Exhibit 3K**





**Pak and Young  
APN 131-180-07  
September 2000**

# MSS Exhibit 4

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17 WATER AUTHORITY

18 BEFORE THE CALIFORNIA

19 STATE WATER RESOURCES CONTROL BOARD

20  
21 In the Matter of Draft Cease and Desist  
22 Order No. 2009-00XX-DWR Against  
23 Yong Pak and Sun Young

**TESTIMONY OF DAVID A.  
GOLDHAMER, PhD**

24  
25 My name is David Goldhamer, I am a retired Water Management Specialist and  
26 previously worked at the Department of Land, Air, and Water Resources at the University of  
27 California at Davis. I have over 30 years experience in the fields of soil and water science. My  
28 work includes investigating water management for crops, plant-water relations, regulated deficit  
irrigation in California, water use requirements in response to sustained water deficits, and

1 irrigation scheduling. My curriculum vitae is marked as MSS Exhibit 4A.

2 My testimony calculates the net irrigation requirements for Assessor Parcel Number 131-  
3 180-07, in San Joaquin County, California (Parcel) in the three years for which crop information  
4 was provided in the December 14, 2009, Draft Cease and Desist Order No. 2009-00XX-DWR  
5 Against Yong Pak and Sun Young (Draft CDO) – 2001, 2006 and 2007. My calculations are  
6 summarized in MSS Exhibit 4B.

7 I calculated the net irrigation requirements to be 58.4 acre-feet of water in 2001 for 30  
8 acres of corn and tomatoes, 104.5 acre-feet of water in 2006 for 25 acres of alfalfa, and 34.6 acre-  
9 feet of water in 2007 for 25 acres of safflower.

10 The net irrigation requirements are based on estimates of total crop consumptive uses plus  
11 the leaching requirements, minus the total contribution of perched water and effective rainfall.

12 My calculation of net irrigation requirements are based on the following:

13 The Crops: In the Draft CDO, it states the Parcel was planted with “30 acres of corn and  
14 tomatoes” in 2001, 25 acres of alfalfa in 2006 and 25 acres of safflower in 2007. I assumed in  
15 2001, the Parcel was planted with 15 acres of corn and 15 acres of tomatoes.

16 Total Crop Consumptive Uses: Total crop consumptive uses are based upon (1) the 10-  
17 year mean reference crop water use values from the Manteca weather station available through  
18 the California Irrigation Management Information System (“CIMIS) program<sup>1</sup>, and (2) crop  
19 coefficient values.

20 Effective Rainfall: Effective rainfall is 50 percent of the 10 year mean (2000-2009) of  
21 total seasonal rainfall provided by the Manteca CIMIS weather station.

22 Perched Water: Contribution of perched water is based upon an assumed depth of 4 feet  
23 and root zones depths published by the United States Bureau of Reclamation’s Pacific Northwest  
24 Cooperative Agricultural Weather Network,<sup>2</sup> and information on root zone depth published by the  
25 University of Tennessee Agricultural Extension Service.<sup>3</sup>

26 Leaching Requirements: The leaching requirement was estimated assuming a desired  
27 leaching fraction of 20 percent, based on *Salt Tolerance of Crops in the Southern Sacramento-*

28 <sup>1</sup>CIMIS data is available online at: <http://wwwcimis.water.ca.gov/cimis/welcome.jsp>.

<sup>2</sup> Data available from the United States Bureau of Reclamation, Pacific Northwest Cooperative  
Agricultural Weather Network, at <http://www.usbr.gov/pn/agrimet/irrigation.html#Root>.

<sup>3</sup> Rutledge, Alvin D., James B. Will, Steve Bost. *Commercial Tomato Production*. Agricultural  
Production Service, University of Tennessee PB737 (available at  
<http://www.utextension.utk.edu/publications/pbfiles/pb737.pdf>).



1 *San Joaquin Delta*, by Glenn Hoffman.<sup>4</sup>

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<sup>4</sup> Hoffman, Glenn. J. 2010. *Salt Tolerance of Crops in the Southern Sacramento-San Joaquin Delta*. Pp. 51-56.

**MSS Exhibit 4A**

## Curriculum vitae

**Name:** David Goldhamer

**Title:** Water Management Specialist  
Department of Land, Air, and Water Resources  
University of California, Davis

**Contact Information:** Kearney Agricultural Center  
9240 South Riverbend Avenue  
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**Degrees:** B.S., Soil and Water Science, UC Davis, 1971  
M.S., Water Science, UC Davis, 1974  
Ph.D., Soil Science, UC Davis, 1980

**Institution/Location:** Kearney Ag. Center, 9240 S. Riverbend Ave. Parlier, CA 93648

### Research Statement:

There continues to be high demand for information on optimizing irrigation for California's horticultural and agronomic crops. It's clear that while weather-induced droughts will continue to be a periodic problem, institutional-related restrictions in water supply due to demand from municipal and environmental interests must also be addressed. My applied research program deals with developing information on regulated deficit irrigation (RDI). This technique purposely stresses plants at stress-tolerant periods of the season in order to both reduce the consumptive use of water and not lessen but rather possibly enhance grower profit by improved fruit quality. It is a true savings of water. Additionally, I've developed information on using plant-based electronic sensors and thermal data from aerial images to detect water stress in order that RDI be more precisely imposed.

### International Experience:

#### TURKMENISTAN

1998 Flood Irrigation/Water Control/Water Users Groups. Charchow, Turkmenistan, USAID/ACDI.

#### MACEDONIA

1994 Potential of Drip Irrigation in Macedonia. Skopje, Macedonia, USAID/ACDI.  
1996 Adoption of Drip Irrigation in Macedonia. Bitola, Macedonia, USAID/ACDI.

## International Invited Presentations

- 1995 Curso Internacional de Riego. Chillan, Chile.
- 1995 Curso Internacional de Suelo, Riego, y Nutricion. General Roca, Argentina.
- 1996 Agritech. Tel Aviv, Israel
- 1997 El Gran Debat de L'Augua. Lleida, Spain
- 1998 Olives Australia Expo. Hunter Valley, NSW, Australia.
- 1999 El Cultivo del Olivo in el Norte de Mexico. Caborca, Mexico.
- 1999 3<sup>rd</sup> International Symposium on Irrigation of Horticultural Crops. Lisbon, Portugal
- 1999 International Olive Congress. Sevilla, Spain.
- 2003 Australia Fresh Fruit Growing Company Workshop, Melbourne, Australia
- 2005 5<sup>th</sup> International Symposium on Irrigation of Horticultural Crops. Mildura, Australia

## PUBLICATIONS RELEVANT TO IRRIGATION AND WATER MANAGEMENT

- Goldhamer, D.A. and B. Faber. Irrigation in UC Citrus Production Manual. L. Ferguson (ed.). (In Press)
- Goldhamer, D.A. 2008. Irrigation management in UC Pistachio Production Manual. L. Ferguson (ed.). 5<sup>th</sup> edition. Chapter 13 pages 108-123.
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**MSS Exhibit 4B**

Grower; Parcel Acreage \$/C	Crop	Planting Date	Harvest Date	Seasonal Potential Consumptive Use* (inches)	Yearly Effective Rainfall Corn** (inches)	Contribution of Perched Water*** (inches)	Suggested Leaching Requirement Corn**** (inches)	Net Irrigation Requirement***** (inches)	Acreage in Crop Estimated from DWR (acres)	Seasonal Potential Consumptive Use* (acre ft)	Assuming	
											May 1 to Sep 2 Total Potential CU (acre ft)	Assuming May 1 to Sep 2 Total Irrigation Requirement***** (acre ft)
Pak and Young 40 acres	Silage Corn	Apr 15	Jul 13	16.6	6.0	1.7	3.3	12.3	15	20.8	15.4	
	Silage Corn	Apr 15	Aug 17	23.2	6.0	2.3	4.6	19.5	15	29.0	24.4	
	Silage Corn	May 1	Sep 2	22.9	6.0	2.3	4.6	19.2	15	28.6	24.0	
Scenario 1 30 acres	Grain Corn	May 1	Sep 30	25.5	6.0	2.6	5.1	22.1	15	31.9	27.6	58.4
	Tomatoes	Apr 1	Aug 31	27.9	6.0	0	5.6	27.5	15	34.9	34.4	
Pak and Young Scenario 2 25 acres	Alfalfa	Jan 1	Dec 31	53.5	6.0	8.0	10.7	50.1	25	111.4	104.5	104.5
Pak and Young Scenario 3 25 acres	Safflower	Apr 1	Jul 31	20.5	6.0	2.1	4.1	16.6	25	42.8	34.6	34.6

\* Based on the daily 10 year mean (2000-2009) of reference crop water use (ETo) provided by the Manteca (No. 70) automated CIMIS weather station and published crop coefficient values (Kc). See individual crop sheets.

\*\*Based on the 10 year mean (2000-2009) of total seasonal rainfall provided by the Manteca (No. 70) automated CIMIS weather station and then assuming that effective rainfall is 50% of total.

\*\*\*Estimated from published root zone depths for different crops and assuming perched water located at about 4 ft depth.

\*\*\*\*Estimated assuming a desired leaching fraction of 20%.

\*\*\*\*\*Sum of potential consumptive use minus effective rainfall minus the contribution of perched water plus the leaching requirement.