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5 Attorneys for WESTLANDS WATER DISTRICT
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8 BEFORE THE
9 CALIFORNIA STATE WATER RESOURCES CONTROL BOARD
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11 In the Matter of the Department of Water
Resources' Permit 16482 (License 17512) -
12 Petition for Long-Term Change Involving
the Transfer of 10,000 Acre-Feet of Water
13 Per Year to Areas Within the Westlands
Water District
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**NOTICE OF PETITION AND PETITION
FOR RECONSIDERATION OF ORDER
AUTHORIZING LONG-TERM CHANGE
IN PLACE OF USE (PERMIT 16482
(LICENSE 17512))**

15 **ATTORNEYS OF RECORD:**

16 **NOTICE IS HEREBY GIVEN** that, pursuant to section 1122 of the California Water
17 Code and title 23, sections 768 and 769 of the California Code of Regulations, Westlands Water
18 District (Westlands) respectfully requests that the State Water Resources Control Board (State
19 Water Board) reconsider the Order Authorizing Long-Term Change in Place of Use, issued in the
20 above-referenced matter on November 21, 2011 (Order).¹

21 Westlands fully supports the State Water Board's approval of the above-referenced
22 petition. However, important provisions of the Order are not supported by substantial evidence
23 and contain errors in law. As set forth in the accompanying memorandum and Exhibit A thereto,
24 incorporated herein by reference, this Petition requests the State Water Board maintain its
25 approval of the petition, but amend the Order to ensure the findings are supported by substantial
26

27 ¹ The address for Westlands is 3130 North Fresno Street, Fresno, CA 93703-1126. Formed in 1952, Westlands
28 encompasses more than 600,000 acres of farmland in western Fresno and Kings counties. Westlands serves
approximately 600 family-owned farms. Westlands holds contractual entitlements to receive up to 1,196,948 acre-
feet of Central Valley Project water per year.

1 evidence and to correct the errors (*see* Exhibit A to the accompanying memorandum).

2 This Petition is based on this notice and petition for reconsideration, the memorandum of
3 points and authorities filed in support thereof, the pleadings and papers on file herein, and upon
4 such other matters as may be presented to the State Water Board at the hearing, if a hearing is
5 scheduled. This notice and petition and the supporting memorandum have been served on all
6 interested parties listed in the attachment to the proof of service.

7 Dated: December 20, 2011

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

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10 By: 
JON D. RUBIN

11 ATTORNEYS FOR WESTLANDS WATER
12 DISTRICT

1 **PROOF OF SERVICE**

2 I, Gilberto J. Castro, declare:

3 I am a citizen of the United States and employed in Sacramento County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is Brownstein Hyatt Farber Schreck, LLP, 1415 L Street, Suite 800, Sacramento, California
6 95814. On December 20, 2011, I served a copy of the within document(s):

7 **NOTICE OF PETITION AND PETITION FOR RECONSIDERATION OF ORDER**
8 **AUTHORIZING LONG-TERM CHANGE IN PLACE OF USE**
9 **(PERMIT 16482 (LICENSE 17512))**

- 10 by transmitting via facsimile the document(s) listed above to the fax number(s) set
11 forth below on this date before 5:00 p.m.
- 12 by placing the document(s) listed above in a sealed envelope with postage thereon
13 fully prepaid, the United States mail at Sacramento, California addressed as set
14 forth below.
- 15 by placing the document(s) listed above in a sealed _____ envelope and
16 affixing a pre-paid air bill, and causing the envelope to be delivered to a
17 _____ agent for delivery.
- 18 by personally delivering the document(s) listed above to the person(s) at the
19 address(es) set forth below.
- 20 by transmitting via e-mail or electronic transmission the document(s) listed above
21 to the person(s) at the e-mail address(es) set forth below.

22 I am readily familiar with the firm's practice of collection and processing correspondence
23 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
24 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
25 motion of the party served, service is presumed invalid if postal cancellation date or postage
26 meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on December 20, 2011, at Sacramento, California.



Gilberto J. Castro

SERVICE LIST

<p>Erick D. Soderlund Department of Water Resources 1416 Ninth Street, Room 1104 Sacramento, CA 95814 esoderlu@water.ca.gov</p>	<p>John Howe Empire West Side Irrigation District P.O. Box 66 Stratford, CA 93266 jnhowe@att.net</p>
<p>Mark Gilkey Tulare Lake Basin Water Storage District 1001 Chase Ave. Corcoran, CA 93212 mgilkey@tlbwsd.com</p>	<p>Adam Lazar Center for Biological Diversity 351 California St. #600 San Francisco, CA 94104 alazar@biologicaldiversity.org</p>
<p>John Herrick, Esq. South Delta Water Agency 4255 Pacific Avenue Stockton, CA 95207 Jherrlaw@aol.com</p>	

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