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6 Attorneys for Petitioner/Plaintiff BYRON-
7 BETHANY IRRIGATION DISTRICT

8
9 BEFORE THE
10 CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

11
12 ENFORCEMENT ACTION ENF01949
DRAFT CEASE AND DESIST ORDER
13 REGARDING UNAUTHORIZED
DIVERSIONS OR THREATENED
14 UNAUTHORIZED DIVERSIONS OF WATER
FROM OLD RIVER IN SAN JOAQUIN
15 COUNTY

SWRCB Enforcement Action
ENF01951 and ENF01949

16 In the Matter of ENFORCEMENT ACTION
ENF01951 – ADMINISTRATIVE CIVIL
17 LIABILITY COMPLAINT REGARDING
UNAUTHORIZED DIVERSION OF WATER
18 FROM THE INTAKE CHANNEL TO THE
BANKS PUMPING PLANT (FORMERLY
19 ITALIAN SLOUGH) IN CONTRA COSTA
COUNTY

NOTICE OF WITHDRAWAL OF
BYRON-BETHANY IRRIGATION
DISTRICT'S OPPOSITION TO
STATE WATER CONTRACTORS'
MOTION TO QUASH SUBPOENA
DUCES TECUM, OR, IN THE
ALTERNATIVE, MOTION FOR
PROTECTIVE ORDER AND
REQUEST TO CLOSE
DISCOVERY FILED ON
MARCH 10, 2016

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21 TO THE HEARING OFFICERS, ALL PARTIES AND THEIR ATTORNEYS OF
22 RECORD:

23 Please take notice that Byron-Bethany Irrigation District (BBID) hereby withdraws
24 the following pleadings filed on March 10, 2016:

- 25 1. BYRON-BETHANY IRRIGATION DISTRICT'S OPPOSITION TO STATE
26 WATER CONTRACTORS' MOTION TO QUASH SUBPOENA DUCES
TECUM, OR, IN THE ALTERNATIVE, MOTION FOR PROTECTIVE ORDER
27 AND REQUEST TO CLOSE DISCOVERY;

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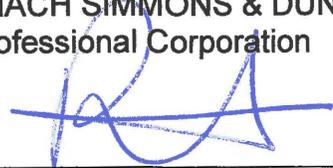
2. DECLARATION OF THERESA C. BARFIELD IN SUPPORT OF BYRON-BETHANY IRRIGATION DISTRICT'S OPPOSITION TO STATE WATER CONTRACTORS' MOTION TO QUASH SUBPOENA DUCES TECUM, OR, IN THE ALTERNATIVE, MOTION FOR PROTECTIVE ORDER AND REQUEST TO CLOSE DISCOVERY

Please be advised that BBID's Opposition to State Water Contractors' Motion to Quash Subpoena Duces Tecum, or, in the Alternative, Motion for Protective Order and Request to Close Discovery filed on March 11, 2016 concurrently herewith is the operative responsive pleading to the subject motion.

Dated: March 11, 2016

SOMACH SIMMONS & DUNN
A Professional Corporation

By: _____



Theresa C. Barfield
Attorneys for Petitioner/Plaintiff BYRON-BETHANY IRRIGATION DISTRICT

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PROOF OF SERVICE

I am employed in the County of Sacramento; my business address is 500 Capitol Mall, Suite 1000, Sacramento, California; I am over the age of 18 years and not a party to the foregoing action.

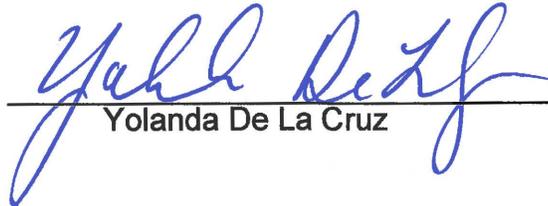
On March 11, 2016, I served the following document(s):

NOTICE OF WITHDRAWAL OF BYRON-BETHANY IRRIGATION DISTRICT'S OPPOSITION TO STATE WATER CONTRACTORS' MOTION TO QUASH SUBPOENA DUCES TECUM, OR, IN THE ALTERNATIVE, MOTION FOR PROTECTIVE ORDER AND REQUEST TO CLOSE DISCOVERY FILED ON MARCH 10, 2016

X (via electronic mail) by causing to be delivered a true copy thereof to the person(s) and at the email addresses set forth below:

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 11, 2016 at Sacramento, California.


Yolanda De La Cruz

**SERVICE LIST OF PARTICIPANTS
BYRON-BETHANY IRRIGATION DISTRICT
ADMINISTRATIVE CIVIL LIABILITY HEARING
(Revised 9/2/15; Revised: 9/11/15)**

SOMACH SIMMONS & DUNN
A Professional Corporation

<p><u>VIA ELECTRONIC MAIL</u></p> <p>Division of Water Rights Prosecution Team Andrew Tauriainen, Attorney III SWRCB Office of Enforcement 1001 I Street, 16th Floor Sacramento, CA 95814 andrew.tauriainen@waterboards.ca.gov</p>	<p><u>VIA ELECTRONIC MAIL</u></p> <p>Byron-Bethany Irrigation District Daniel Kelly Somach Simmons & Dunn 500 Capitol Mall, Suite 1000 Sacramento, CA 95814 dkelly@somachlaw.com</p>
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<p><u>VIA ELECTRONIC MAIL</u></p> <p>Central Delta Water Agency Jennifer Spaletta Law PC P.O. Box 2660 Lodi, CA 95241 jennifer@spalettalaw.com</p> <p>Dante John Nomellini Daniel A. McDaniel Dante John Nomellini, Jr. NOMELLINI, GRILLI & MCDANIEL 235 East Weber Avenue Stockton, CA 95202 ngmplcs@pacbell.net dantejr@pacbell.net</p>	<p><u>VIA ELECTRONIC MAIL</u></p> <p>California Department of Water Resources Robin McGinnis, Attorney P.O. Box 942836 Sacramento, CA 94236-0001 robin.mcgininis@water.ca.gov</p>
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<u>VIA ELECTRONIC MAIL</u>	<u>VIA ELECTRONIC MAIL</u>
South Delta Water Agency John Herrick Law Offices of John Herrick 4255 Pacific Avenue, Suite 2 Stockton, CA 95207 Email: Jherrlaw@aol.com	State Water Contractors Stefani Morris 1121 L Street, Suite 1050 Sacramento, CA 95814 smorris@swc.org

**SERVICE LIST
WEST SIDE IRRIGATION DISTRICT
CEASE AND DESIST ORDER HEARING**

SOMACH SIMMONS & DUNN
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<p>14 South Delta Water Agency 15 John Herrick 16 Law Offices of John Herrick 17 4255 Pacific Avenue, Suite 2 18 Stockton, CA 95207 19 Email: jherrlaw@aol.com</p>	<p>Central Delta Water Agency Jennifer Spaletta Law PC P.O. Box 2660 Lodi, CA 95241 jennifer@spalettalaw.com</p> <p>Dante Nomellini and Dante Nomellini, Jr. NOMELLINI, GRILLI & MCDANIEL ngmplcs@pacbell.net dantejr@pacbell.net</p>
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<p>24 Byron-Bethany Irrigation District 25 Daniel Kelly 26 Somach Simmons & Dunn 27 500 Capitol Mall, Suite 1000 28 Sacramento, CA 95814 dkelly@somachlaw.com</p>	<p>California Department of Water Resources Robin McGinnis, Attorney P.O. Box 942836 Sacramento, CA 94236-0001 robin.mcginis@water.ca.gov</p>