



**Linda S. Adams**  
Secretary for  
Environmental Protection

# State Water Resources Control Board

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## Division of Water Rights

1001 I Street, 14<sup>th</sup> Floor ♦ Sacramento, California 95814 ♦ 916.341.5300  
P.O. Box 2000 ♦ Sacramento, California 95812-2000  
Fax: 916.341.5400 ♦ www.waterboards.ca.gov/waterrights



**Arnold Schwarzenegger**  
Governor

## **NOTICE OF CONTINUANCE OF PUBLIC HEARING**

The State Water Resources Control Board will continue the  
Public Hearing to Determine Whether to Adopt a  
**Cease and Desist Order**  
against

**Mark and Valla Dunkel**  
Middle River in San Joaquin County

The **Public Hearing**  
will be continued  
on

**Wednesday, August 4, 2010,  
at 12:00 Noon**

in the  
Sierra Hearing Room  
Joe Serna, Jr./Cal-EPA Building  
1001 I Street, Second Floor  
Sacramento, CA

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### **PURPOSE OF THE CONTINUATION**

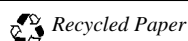
The State Water Resources Control Board (State Water Board) conducted a hearing in this matter on May 5, 2010. The hearing will be continued on August 4, 2010 for the limited purpose of reopening the administrative record in order for the State Water Board to receive additional evidence relevant to the Dunkels' claim to hold riparian water rights. The hearing will continue to be conducted in accordance with the Notice of Public Hearing issued on February 18, 2010.

### **HEARING PARTICIPATION**

Only those parties and other participants who were authorized by the hearing officer to participate at the May 5, 2010 hearing are allowed to present evidence. **Parties who intend to present evidence on August 4, 2010, must submit to the State Water Board and serve on the other parties copies of witnesses' written testimony, witness qualifications, exhibits, and an updated exhibit identification index by 4:00 p.m., Friday, July 30, 2010.**

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*California Environmental Protection Agency*



## **SUBMITTALS TO THE WATER BOARD**

Written testimony and other exhibits submitted to the State Water Board should be addressed as follows:

Division of Water Rights  
State Water Resources Control Board  
Attention: Ernest Mona  
P.O. Box 2000, Sacramento, CA 95812-2000 (by mail)  
1001 I Street, 2nd Floor, Sacramento, CA 95814 (by hand delivery)  
Phone: (916) 341-5359; Fax: (916) 341-5400

Email: [wrhearing@waterboards.ca.gov](mailto:wrhearing@waterboards.ca.gov)

With Subject of “**Mark and Valla Dunkel CDO Hearing**”.

### **IF YOU HAVE ANY QUESTIONS**

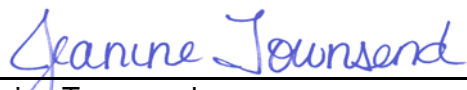
During the pendency of these proceedings, and commencing no later than the issuance of this notice, there shall be no *ex parte* communications between State Water Board members or State Water Board hearing team staff and any of the other participants, including members of the prosecution team regarding substantive or controversial procedural matters within the scope of the proceeding. (Gov. Code, §§ 11430.10-11430.80.) Questions regarding non-controversial procedural matters (Gov. Code, § 11430.20, subd. (b)) should be directed to either Staff Engineer Ernest Mona at (916) 341-5359 (email: [emona@waterboards.ca.gov](mailto:emona@waterboards.ca.gov)) or to Senior Staff Counsel Dana Heinrich at (916) 341-5188 (email: [dheinrich@waterboards.ca.gov](mailto:dheinrich@waterboards.ca.gov)).

### **PARKING, ACCESSIBILITY AND SECURITY**

A map to the Joe Serna Jr./Cal-EPA Building and parking information are available at <http://www.calepa.ca.gov/EPABldg/location.htm>. For security purposes, all visitors are required to sign in and receive a badge prior to entering the building. Valid picture identification may be required due to the security level so please allow up to 15 minutes for this process.

The Joe Serna Jr./Cal-EPA Building is accessible to people with disabilities. Individuals who require special accommodations at the Joe Serna Jr./Cal-EPA Building are requested to contact Catherine Foreman, Office of Employee Assistance, at (916) 341-5881.

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Date: July 23, 2010

  
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Jeanine Townsend  
Clerk to the Board

**SERVICE LIST  
(VIA ELECTRONIC MAIL)**

<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>MARK AND VALLA DUNKEL  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>RUDY MUSSI, TONI MUSSI AND LORY C. MUSSI INVESTMENT LP  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>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>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 LUIS &amp; DELTA-MENDOTA WATER AUTHORITY  c/o Jon D. Rubin  Diepenbrock♦Harrison  400 Capitol Mall, Suite 1800  Sacramento, CA 95814  <a href="mailto:jrubin@diepenbrock.com">jrubin@diepenbrock.com</a></p>	<p>STATE WATER CONTRACTORS  c/o Stanley C. Powell  Kronick, Moskovitz, Tiedemann &amp; Girard  400 Capitol Mall, 27<sup>th</sup> Floor  Sacramento, CA 95814  <a href="mailto:spowell@kmtg.com">spowell@kmtg.com</a></p>
<p>Continued on next page.</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:tshephard@neumiller.com">tshephard@neumiller.com</a></p>	<p>MODESTO IRRIGATION DISTRICT  c/o Tim O'Laughlin  Ken Petruzzelli  O'Laughlin &amp; Paris LLP  117 Meyers Street, 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>	<p>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></p>