

John Herrick

Attorney at Law
4255 Pacific Avenue, Suite 2
Stockton, CA 95207
Telephone (209) 956-0150
Fax (209) 956-0154
E-mail: Jherrlaw@aol.com

January 12, 2010

Via mail and email

Mr. James W. Kassel
Assistant Deputy Director for Water Rights
Division of Water Rights
State Water Resources Control Board
P. O. Box 2000
Sacramento, CA 95812-2000

Re: Dunkel Draft CDO

Dear Mr. Kassel:

After receiving notice of the draft CDO sent to Mr. Dunkel, I communicated with your office regarding my belief that his property was a part of the Woods Irrigation Company, and served with water therefrom. Pursuant to our communications, I understood that upon confirmation of these facts, the CDO would be dismissed.

Enclosed herewith are documents provided to me by Wood Irrigation Company's counsel. The documents include a number of billings or invoices from Woods IC to Mr. Dunkel, one check showing payment, and the counsel's cover letter. I believe this should satisfy the Division's concerns about how and under what "right" Mr. Dunkel irrigates his property.

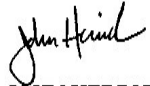
In addition, I would like to repeat my earlier statement that Mr. Dunkel's property actually abuts the easternmost main irrigation canal of Woods IC. From my review of the original Woods' documents, I believe the property was part of Woods from the very beginning. This has not been confirmed, and we would like to avoid the cost involved in such confirmation if possible.

Lastly, I have not included any of the reservation of rights and objections to SWRCB authority which I am putting in other responses to draft CDO's, complaints, or requests for additional information given my understanding that the enclosed information should end this matter. If the draft CDO in this case is not withdrawn or dismissed, I will of course include those reservations and objections when appropriate.

Mr. James W. Kassel
January 12, 2010
Page Two

Please feel free to contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Herrick". The signature is written in a cursive style with a large initial "J".

JOHN HERRICK

Enclosures

cc: Mr. Mark Dunkel
Mr. Gino Celli