

EDMUND G. BROWN JR., State Bar No. 37100
Attorney General of California
ROBERT W. BYRNE, State Bar No. 213155
Supervising Deputy Attorney General
CLIFFORD T. LEE, State Bar No. 74687
CECILIA L. DENNIS, State Bar No. 201997
ALLISON GOLDSMITH, State Bar No. 238263
Deputy Attorneys General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5395
Facsimile: (415) 703-5480
E-mail: Cecilia.Dennis@doj.ca.gov
*Attorneys for Plaintiff Intervenor California
Department of Water Resources*

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THE DELTA SMELT CASES

**SAN LUIS & DELTA-MENDOTA WATER
AUTHORITY, et al. v. SALAZAR, et al.**

**STATE WATER CONTRACTORS v.
SALAZAR, et al.**

**COALITION FOR A SUSTAINABLE
DELTA, et al. v. UNITED STATES FISH
AND WILDLIFE SERVICE, et al.**

**METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA v.
UNITED STATES FISH AND WILDLIFE
SERVICE, et al.**

**STEWART & JASPER ORCHARDS, et al.
v. UNITED STATES FISH AND
WILDLIFE SERVICE, et al.**

**FAMILY FARM ALLIANCE v.
KENNETH SALAZAR, et al.**

1:09-cv-407 OWW

Consolidated With:

Case No. 1:09-cv-422 OWW GSA

Case No. 1:09-cv-631 OWW GSA

Case No. 1:09-cv-892 OWW GSA

Case No. 1:09-cv-480 OWW GSA

Partially Consolidated with:

Case No. 1:09-cv-01201-OWW-DLB

**STIPULATION AND ORDER
REDESIGNATING CALIFORNIA
DEPARTMENT OF WATER
RESOURCES AS A PLAINTIFF-
INTERVENOR**

Judge: Honorable Oliver W. Wanger

1 California Department of Water Resources (DWR) and its former director Lester Snow
2 were named as “real parties in interest” in several of the Delta Smelt Cases now consolidated
3 under case no. 1:09-CV-0407-OWW. Specifically, DWR and former Director Snow were named
4 as “real parties in interest” in complaints filed by San Luis & Delta-Mendota Water Authority and
5 Westlands Water District (09-cv-0407), State Water Contractors (09-cv-0422), Coalition for a
6 Sustainable Delta and Kern County Water Agency (09-cv-0480), and The Metropolitan Water
7 District of Southern California (09-cv-0631). DWR also was named as a “real party in interest”
8 in a complaint filed by Stewart & Jasper Orchards, Arroyo Farms, LLC and King Pistachio Grove.
9

10 On December 1, 2009, DWR filed a complaint in intervention in the above consolidated
11 cases.
12

13 All parties now agree and stipulate that DWR should be redesignated as a plaintiff-
14 intervenor in these cases and further request that the docket be updated to reflect this designation.
15

16 Dated: June 3, 2010

Respectfully submitted,

17 EDMUND G. BROWN JR.
18 Attorney General of California
19 ROBERT W. BYRNE
20 Supervising Deputy Attorney General
21 CLIFFORD T. LEE
22 CECILIA L. DENNIS
23 ALLISON GOLDSMITH
24 Deputy Attorneys General

25 /S/ CECILIA L. DENNIS
26 CECILIA L. DENNIS
27 Deputy Attorney General
28 *Attorneys for Plaintiff Intervenor California
Department of Water Resources*

1 Dated: June 3, 2010

BEST, BEST & KREIGER LLP

2
3
4
5 Dated: June 3, 2010

/s/ [Gregory K. Wilkinson] (as authorized)
GREGORY K. WILKINSON
*Attorneys for Plaintiff State Water
Contractors*

DIEPENBROCK HARRISON

6
7
8
9
10 Dated: June 3, 2010

/s/ [Eileen M. Diepenbrock] (as authorized)
EILEEN M. DIEPENBROCK
*Attorneys for Plaintiffs San Luis & Delta-
Mendota Water Authority and Westlands
Water District*

NOSSAMAN LLP

11
12
13
14
15
16 Dated: June 3, 2010

/s/ [Paul W. Weiland] (as authorizezd)
PAUL S. WEILAND
*Attorneys for Plaintiff Coalition for a
Sustainable Delta and Kern County Water
Agency*

MORRISON & FOERSTER LLP

17
18
19
20
21 Dated: June 3, 2010

/s/[Christopher J. Carr] (as authorized)
CHRISTOPHER J. CARR
*Attorneys for Plaintiff The Metropolitan
Water District of Southern California*

PACIFIC LEGAL FOUNDATION

22
23
24
25
26
27
28

/s/ [Brandon M. Middleton] (as authorized)
BRANDON M. MIDDLETON
*Attorneys for Plaintiffs Stewart & Jasper
Orchards, Arroyo Farms, LLC, and King
Pistachio Grove*

1 Dated: June 3, 2010

THE BRENDA DAVIS LAW GROUP

2
3 /s/ [Brenda W. Davis] (as authorized)
4 BRENDA W. DAVIS
Attorneys for Plaintiff Family Farm Alliance

5 Dated: June 3, 2010

U.S. DEPARTMENT OF JUSTICE

6
7 /s/ [Ethan C. Eddy] (as authorized)
8 ETHAN C. EDDY
Attorneys for the Federal Defendants

9 Dated: June 3, 2010

NATURAL RESOURCES DEFENSE
COUNCIL

10
11 /s/ [Katherine Poole] (as authorized)
12 KATHERINE POOLE
13 *Attorneys for Defendant Intervenor Natural
Resources Defense Council*

14 Dated: June , 2010

EARTHJUSTICE

15
16 /s/ [George Torgen] (as authorized)
17 GEORGE TORGEN
18 *Attorneys for Defendant Intervenor The Bay
Institute and Natural Resources Defense
Council*

19
20 IT IS SO ORDERED.

21 Dated: June 3, 2010

/s/ Oliver W. Wanger
22 UNITED STATES DISTRICT JUDGE