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15 *Department of Water Resources*

9
10 IN THE UNITED STATES DISTRICT COURT
11
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 **THE DELTA SMELT CASES**

13
14 **SAN LUIS & DELTA-MENDOTA WATER**
15 **AUTHORITY, et al. v. SALAZAR, et al.**

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

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

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

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

28 **FAMILY FARM ALLIANCE v.**
29 **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

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

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

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

Dated: June 3, 2010

Respectfully submitted,

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/S/ CECILIA L. DENNIS
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*Attorneys for Plaintiff Intervenor California
Department of Water Resources*

1 Dated: June 3, 2010

BEST, BEST & KREIGER LLP

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

6 Dated: June 3, 2010

DIEPENBROCK HARRISON

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

10 Dated: June 3, 2010

NOSSAMAN LLP

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

16 Dated: June 3, 2010

MORRISON & FOERSTER LLP

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

21 Dated: June 3, 2010

PACIFIC LEGAL FOUNDATION

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

1 Dated: June 3, 2010

THE BRENDA DAVIS LAW GROUP

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

5 Dated: June 3, 2010

U.S. DEPARTMENT OF JUSTICE

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

9 Dated: June 3, 2010

10 NATURAL RESOURCES DEFENSE
11 COUNCIL

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

16 Dated: June , 2010

17 EARTHJUSTICE

18 /s/ [George Torgen] (as authorized)
19 GEORGE TORGREN
20 Attorneys for Defendant Intervenor The Bay
21 Institute and Natural Resources Defense
22 Council

23 IT IS SO ORDERED.

24 Dated: June 3, 2010

25 /s/ Oliver W. Wanger
26 UNITED STATES DISTRICT JUDGE