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11 Attorneys for Defendant and Respondent
WESTLANDS WATER DISTRICT

12
13 *[Additional Counsel on Next Page]*

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **COUNTY OF SHASTA**

16 FRIENDS OF THE RIVER;
GOLDEN GATE SALMON ASSOCIATION;
17 PACIFIC COAST FEDERATION OF
FISHERMEN'S ASSOCIATIONS;
18 INSTITUTE FOR FISHERIES RESOURCES;
SIERRA CLUB;
19 DEFENDERS OF WILDLIFE; and
NATURAL RESOURCES DEFENSE
20 COUNCIL,

21 Plaintiffs and Petitioners,

22 v.

23 WESTLANDS WATER DISTRICT; and
DOES 1-20,

24 Defendants and Respondents.
25

Case No. 192490

**NOTICE OF ENTRY OF STIPULATED
JUDGMENT**

Assigned for All Purposes to:
Hon. Tamara L. Wood

Action Filed: May 13, 2019
Trial Date: April 14, 2020

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ADDITIONAL COUNSEL

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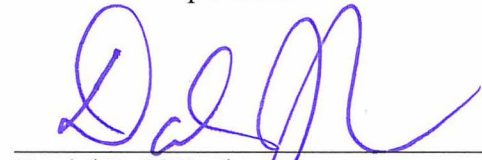
1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that the Stipulated Judgment in the above-entitled matter was
3 entered on November 12, 2019. A copy of said Stipulated Judgment is attached hereto as Exhibit A.

4 DATED: November 20, 2019

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

5
6
7 By:



8 Daniel J. O'Hanlon
9 Attorneys for Defendant and Respondent
10 WESTLANDS WATER DISTRICT
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PROOF OF SERVICE

**Friends of the River, et al. v. Westlands Water District, et al.
Case No. 192490**

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

On November 20, 2019, I served true copies of the following document(s) described as **NOTICE OF ENTRY OF STIPULATED JUDGMENT** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the practice of Kronick, Moskovitz, Tiedemann & Girard for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope was placed in the mail at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 20, 2019, at Sacramento, California.

Terri Whitman

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SERVICE LIST
Friends of the River, et al. v. Westlands Water District, et al.
Case No. 192490

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SIERRA CLUB;
DEFENDERS OF WILDLIFE; and
NATURAL RESOURCES DEFENSE
COUNCIL

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EXHIBIT A

FILED

NOV 12 2019

CLERK OF THE SUPERIOR COURT
BY: M. BORNE, DEPUTY CLERK

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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 15 **COUNTY OF SHASTA**

16 FRIENDS OF THE RIVER;
 17 GOLDEN GATE SALMON ASSOCIATION;
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 18 INSTITUTE FOR FISHERIES RESOURCES;
 SIERRA CLUB;
 19 DEFENDERS OF WILDLIFE; and
 NATURAL RESOURCES DEFENSE
 20 COUNCIL,

Case No. 192490

STIPULATED JUDGMENT

Assigned for All Purposes to:
Hon. Tamara L. Wood

Action Filed: May 13, 2019
Trial Date: April 14, 2020

21 Plaintiffs and Petitioners,

22 v.

23 WESTLANDS WATER DISTRICT; and
 24 DOES 1-20,

25 Defendants and Respondents.

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By Fax

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Attorneys for Defendant and Respondent
WESTLANDS WATER DISTRICT

1 WHEREAS, the People of the State of California ex rel. Attorney General Xavier Becerra
2 (People) filed an action against Defendant Westlands Water District (Westlands) on May 13,
3 2019, alleging violations of Public Resources Code section 5093.542 (Case No. 192487);

4 WHEREAS, Plaintiffs and Petitioners Friends of the River, Golden Gate Salmon
5 Association (now known as Golden State Salmon Association), Pacific Coast Federation of
6 Fishermen’s Associations, Institute for Fisheries Resources, Sierra Club, Defenders of Wildlife,
7 and Natural Resources Defense Council also filed an action against Westlands on May 13, 2019,
8 alleging violations of Public Resources Code section 5093.542 (Case No. 192490);

9 WHEREAS the North Coast Rivers Alliance, et al. filed a third action against Westlands
10 on July 5, 2019, alleging violations of Pub. Resources Code section 5093.542, as well as
11 violations of the Delta Reform Act and the Public Trust Doctrine (Case No. 192958);

12 WHEREAS section 5093.542(c) of the Public Resources Code provides that “no agency of
13 the state shall assist or cooperate with...any agency of the federal, state, or local government in the
14 planning or construction of any dam, reservoir, diversion, or other water impoundment facility that
15 could have an adverse effect on the free-flowing condition of the McCloud River, or on its wild
16 trout fishery”;

17 WHEREAS, on July 29, 2019, the Court in the People’s case entered a preliminary
18 injunction preventing Westlands from “taking any action that constitutes planning for or the
19 construction of the Shasta Dam Raise Project, pending trial of this matter” and enjoining
20 Westlands’ California Environmental Quality Act (“CEQA”) process initiated in November 2018;

21 WHEREAS, on September 30, 2019, Westlands formally withdrew its CEQA Notice of
22 Preparation by filing with the State Clearinghouse a Notice of Termination of CEQA Process and
23 Withdrawal of Notice of Preparation – Shasta Dam Raise Project;

24 WHEREAS, Plaintiffs and Defendant Westlands (together “parties”) entered into a
25 stipulation for entry of a judgment on specified terms and conditions and thereby have consented
26 to and agree to be bound by the entry of this Stipulated Judgment;

27 NOW AND THEREFORE, upon the consent of the parties, it is ORDERED,
28 ADJUDGED, and DECREED:

1 **STIPULATED JUDGMENT**

2 1. The Court has jurisdiction over the subject matter of this action and the parties to
3 this Stipulated Judgment.

4 2. The provisions of this Stipulated Judgment are applicable to Plaintiffs and to
5 Westlands and its officers, directors, agents, receivers, trustees, employees, contractors,
6 consultants, successors, and assigns, including but not limited to individuals, partners, and
7 subsidiaries and parents.

8 3. Westlands shall not undertake any of the following actions to the extent doing so
9 would violate Public Resources Code section 5093.542:

10 a. Initiate preparation of an environmental impact report or other
11 environmental review document pursuant to CEQA for a project to raise Shasta Dam;

12 b. Enter into any agreement to fund, directly or indirectly, the raising of Shasta
13 Dam;

14 c. Enter into any other agreement that would assist any agency of the federal,
15 state, or local government in the planning or construction of the raising of Shasta Dam; or

16 d. Acquire additional real property to facilitate the raising of Shasta Dam.

17 4. Nothing in this Stipulated Judgment is intended or shall be construed to preclude
18 any state, local, or federal agency, board, department, office, commission, or entity not party to
19 this Stipulated Judgment from exercising its authority under any law, statute, regulation, or
20 ordinance.

21 5. Nothing in this Stipulated Judgment is intended or shall be construed to permit,
22 allow, or otherwise authorize Westlands taking any action to the extent doing so would violate
23 Public Resources Code section 5093.542.

24 6. This Stipulated Judgment is entered as a result of the parties' Stipulation and
25 request that the Court enter this Stipulated Judgment to resolve this case and avoid protracted and
26 expensive litigation. It does not decide the merits of any claim or issue raised in this case, and as
27 such, does not constitute any evidence against or admission by any party to this case or any third
28 party regarding any issue of fact or law, nor can it serve as an estoppel to future litigation.

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7. Subject to and based upon the conditions of this Stipulated Judgment, this case is dismissed, without prejudice. The Court retains jurisdiction (a) to enforce the terms and conditions of this Stipulated Judgment; and (b) to consider applications addressing whether and in what amount any party may recover attorneys' fees and costs.

IT IS SO ORDERED

Dated: NOV 12 2019

TAMARA L. WOOD
Hon. Tamara L. Wood
JUDGE OF THE SHASTA COUNTY
SUPERIOR COURT

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PROOF OF SERVICE

**Friends of the River, et al. v. Westlands Water District, et al.
Case No. 192490**

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

On November 8, 2019, I served true copies of the following document(s) described as **STIPULATED JUDGMENT** on the interested parties in this action as follows:

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BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the practice of Kronick, Moskovitz, Tiedemann & Girard for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope was placed in the mail at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 8, 2019, at Sacramento, California.



Sherry Ramirez

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