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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

ASOCIACION de GENTE UNIDA POR EL AGUA, a California unincorporated association, and ENVIRONMENTAL LAW FOUNDATION, a California non-profit organization,

Case Number: 34-2008-00003604

JUDGMENT AFTER REMITTITUR

Plaintiffs/Petitioners,

vs.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD, a California state agency,

Defendant/Respondent,

COMMUNITY ALLIANCE FOR RESPONSIBLE ENVIRONMENTAL STEWARDSHIP, a California corporation,

This matter having been heard and decided on appeal by the Court of Appeal of the State of California, Third Appellate District (Case No. C066410), and the Court of Appeal having reversed the judgment of the trial court with directions to grant the petition,

IT IS HEREBY ORDERED and ADJUDGED that:

1. The Judgment issued on September 10, 2010, denying the petition for writ of mandate is reversed, and judgment is entered in favor of Plaintiffs/Petitioners, granting the petition.

1 2. A peremptory writ of mandate shall issue under the seal of this Court
2 commanding Defendant/Respondent to set aside the Waste Discharge Requirements
3 General Order for Existing Milk Cow Diaries (Order No. R5-2007-0035) and reissue the
4 permit only after application of, and compliance with, the State's anti-degradation policy
5 (Resolution No. 68-16), as interpreted by the Court of Appeal in its opinion, including,
6 without limitation, adequate findings that any allowed discharges to high quality water (1)
7 will be consistent with maximum benefit to the people of the State; (2) will not
8 unreasonably affect present and anticipated beneficial use of the affected waters; (3) will
9 not result in water quality less than that prescribed in applicable water quality objectives;
10 and (4) that waste-discharging activities will be required to use the best practicable
11 treatment or control of the discharge necessary to assure that (a) a pollution or nuisance
12 will not occur, and (b) the highest water quality consistent with the maximum benefit to
13 the people of the State will be maintained.

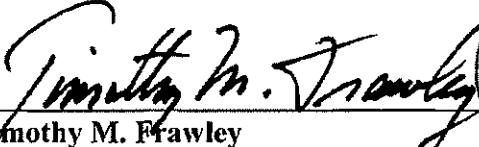
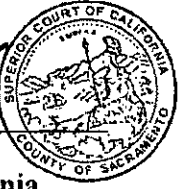
14 3. The writ shall further command Defendant/Respondent to make and file a
15 Return within 180 days, setting forth what they have done to comply.

16 11. Plaintiffs/Petitioners shall recover their costs on appeal in the amount of
17 \$ _____.

18 12. The Court retains jurisdiction to consider any motions for an award of
19 attorneys' fees.

20 13. Plaintiffs/Petitioners are directed to prepare and submit a proposed writ of
21 mandate consistent with this Judgment After Remittitur.

22
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24 Date: March 20, 2013

25 
26 **Timothy M. Frawley**
27 **Judge of the Superior Court of California**
28 **County of Sacramento** 

Case Number: 34-2008-00003604
Case Title: AGUA/ELF v. CVRWQCB/CAFRES

Department: 29

CERTIFICATE OF SERVICE BY MAILING
(C.C.P. Sec. 1013a(4))

I, the Clerk of the Superior Court of California, County of Sacramento, certify that I am not a party to this cause, and on the date shown below I served the foregoing RULING by depositing true copies thereof, enclosed in separate, sealed envelopes with the postage fully prepaid, in the United States Mail at Sacramento, California, each of which envelopes was addressed to:

Laurel Augusta Firestone
Community Water Center
311 West Murray Ave.
Visalia, CA 93291

Lynne Renee Saxton
Saxton & Associates
912 Cole Street, #140
San Francisco, CA 94117

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Bird Marella Law Corporation
1875 Century Park East, 23rd Floor
Los Angeles, CA 90067-2561

I, the undersigned deputy clerk, declare under penalty of perjury that the foregoing is true and correct.

Dated: March 20, 2013

Superior Court of California, County of
Sacramento

By: F. Temmerman,
Deputy Clerk