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Modesto Irrigation District continues to defend water rights' principles in ongoing legal dispute

*MID Board disagrees with court's finding of
implied riparian rights for Delta landowner*

MODESTO, Calif. – The Modesto Irrigation District (MID) Board of Directors unanimously agreed to continue with legal action in the MID v. Tanaka lawsuit regarding unauthorized Delta water diversions. This decision was announced in the MID Board meeting on Tuesday, May 12.

Last week, the Third District Court of Appeal reversed a trial court judgment in favor of MID's 2011 claim that defendant Heather Tanaka does not hold riparian water rights and illegally diverts water from the Middle River in the Delta. The trial court found that, in accordance with longstanding legal principles, the deed from the original sale of land to Tanaka's great-grandfather—which severed the parcel from connection to the river—did not convey riparian rights. Conversely, the Court of Appeal found that while not explicitly stated in the deed, the conveyance of riparian rights was implied.

“This decision threatens to upend California real property and water rights law and sets dangerous precedent,” said MID Board President Paul Campbell. “We have no choice but to continue to advocate for the appropriate application of established water law principles to ensure the integrity of MID's own water rights and customers' interests.”

Tuesday's MID Board action authorized staff to explore and pursue all possible legal options, including pursuing a petition for review by the California Supreme Court.

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About the Modesto Irrigation District (MID)

The Modesto Irrigation District, established in 1887, is a vertically integrated public utility located in California's Central Valley. MID provides irrigation water to more than 2,300 agricultural accounts irrigating close to 60,000 acres and electricity to more than 128,000 residential, commercial and agricultural accounts in Modesto, Empire, Salida, Waterford and Mountain House as well as parts of Escalon, Oakdale, Ripon and Riverbank. MID also treats, delivers and wholesales up to 67,000 acre-feet of drinking water per year to the City of Modesto. For more information about MID visit www.mid.org or follow MID on Facebook ([@modestoirrigationdistrict](https://www.facebook.com/modestoirrigationdistrict)) and Twitter ([@mod_irrigation](https://twitter.com/mod_irrigation)).