

**Ellen Howard - RE: R5-2011-0542: Letter regarding status of ACLC as to David Albers**

---

**From:** "Albers, David" <dalbers@[REDACTED]>  
**To:** Ellen Howard <EHoward@waterboards.ca.gov>  
**Date:** 6/20/2011 3:22 PM  
**Subject:** RE: R5-2011-0542: Letter regarding status of ACLC as to David Albers  
**CC:** <dkieffer@[REDACTED]>, Clay Rodgers <CRodgers@waterboards.ca.gov>, ...  
**Attachments:** Vintage Cow Sale 2010.pdf

---

Ms. Howard:

The operator of the dairy at 12103 W. Elkhorn Avenue has always been Vintage Dairy, and has never been under the ownership or operation of David Albers. That said, Vintage Dairy is a general partnership, and I am a partner. Vintage Dairy's mailing address, which is the address that should remain on all correspondence, is as follows:

P.O. Box 2282

Bakersfield, CA 93303

Please accept our recent submission to the CVRWQCB, as well as this correspondence, as evidence in this matter. The recent submission was sent once again to the CVRWQCB to show that Vintage Dairy did in fact submit a 2008 annual report. The report was not timely submitted. However, it was sent to the CVRWQCB office as part of the 2010 settlement agreement between Vintage Dairy and the CVRWQCB.

Please also note that on February 14, 2010, Vintage Dairy sold the bulk of its herd. I've attached the escrow instructions for that cattle sale transaction. I am unable to attach the closing statement as my scanner is out and it is not scanned in my system, but I can certainly provide additional evidence if this issue is in question at the hearing. Since December 2010, the operator has been Flavio Martins, and the owner remains Vintage Dairy, although the property is currently subject to receivership as you noted.

David Albers

---

**From:** Ellen Howard [mailto:EHoward@waterboards.ca.gov]  
**Sent:** Tuesday, June 14, 2011 4:04 PM  
**To:** Albers, David  
**Cc:** dkieffer@[REDACTED]; Clay Rodgers; Dale Essary; Doug Patteson; Mayumi Okamoto  
**Subject:** R5-2011-0542: Letter regarding status of ACLC as to David Albers

Mr. Albers-

Attached is a copy of a letter being mailed to you from the Office of Enforcement. Please contact me with any questions.

Ellen Howard  
Counsel for the Prosecution Team

Ellen Howard  
Staff Counsel, Office of Enforcement  
State Water Resources Control Board  
1001 "I" Street, 16th Floor  
P.O. Box 100  
Sacramento, CA 95814  
(916) 341-5677 office  
(916) 207-2494 cell