



**Eat Drink Play:**  
These five chefs are creating uniquely Bay Area dishes that deserve your attention. F1

BATTLE BETWEEN LAND BARONS

# WATER WAR

## NEW MONEY VS. OLD POWER IN PARCHED CALIFORNIA



NHAT V. MEYER — STAFF PHOTOGRAPHER

Kings County dairyman Jim Wilson has watched this 48-inch pipeline become the focus of a legal fight and a symbol of the water struggle for farmers in the San Joaquin Valley.

Silicon Valley developer John Vidovich wants to build a water pipeline on his property; cotton king J.G. Boswell says no

By **Lisa M. Krieger**  
and **Veronica Martinez**  
*Staff writers*

**STRATFORD »** Water is the lifeblood of the parched San Joaquin Valley, sustaining endless acres of trees, seeds and pastures that feed a hungry nation.

But a controversial pipeline sits empty, as dry as dust, caught in an angry feud between two of California's largest land barons, Silicon Valley developer and farmer John Vidovich and Pasadena-based longtime cotton king J.G. Boswell Co.

Vidovich needs the pipe to move water. The Boswell Co. wants it blocked, saying it threatens the company's own water supplies, which run through a canal over the pipeline's underground route.

What started as a dispute about a tube of plastic under a muddy ditch is escalating into a bitter legal fight

between the two multimillion-dollar businesses, pitting old power against new money and ambition.

After three years of drought, tensions are running high all over rural California. The state's massive plumbing system is sending virtually nothing to farmers. And state groundwater regulations restrict the drilling of new agricultural wells.

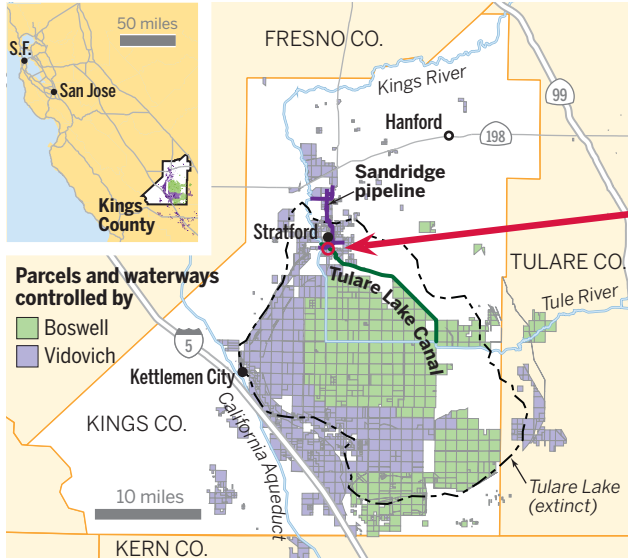
But it's here in the bottom of long-gone Tulare Lake, which once held more fresh water than Lake Tahoe, where a conflict has turned heated. The region plays an important role in California agriculture — but it's also ground zero for many of the state's most difficult water management problems.

The clash of the agricultural titans, who hold influential positions on local water boards and control thousands of acres with precious water rights, is being waged against a

**WATER » PAGE 8**

### GROUND ZERO FOR WATER DISPUTE IN THE SAN JOAQUIN VALLEY

Sandridge Partners is using a 10-mile route on its own land to ship water from its wells in the north to its fields in the south. It must cross under a Boswell Co.-controlled canal, which has a long-standing easement. Boswell's team predicts the pipeline "will pose a constant and continued threat to the easement's function." John Vidovich, of the Sandridge team, says, "It won't hurt the canal. It's my property, and I have a right to cross."



PAI/BAY AREA NEWS GROUP

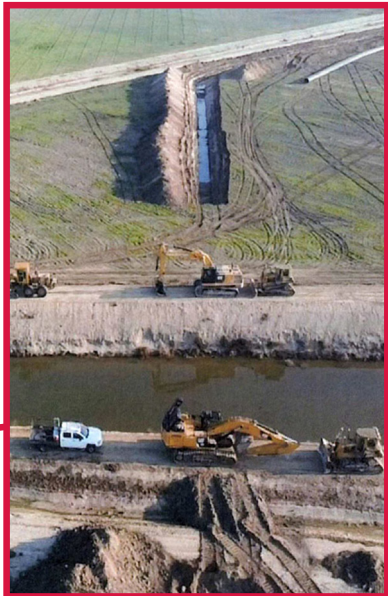


PHOTO BY SANDRIDGE PARTNERS

To block Sandridge Partners from trenching a pipeline beneath the Tulare Lake Canal, the Boswell Co. parked a parade of giant construction vehicles atop the canal's embankments.

### TPOXX

## Unproven monkeypox drug: Out of storage, into bodies?

By **Lisa M. Krieger**  
*lkrieger@bayareanewsgroup.com*

TPOXX is a medicine that we hoped never to use.

But the antiviral drug, created to save us from weaponized smallpox in a bioterrorism attack, now is a promising tool in civilian care: treating monkeypox, a virus that is infecting about 1,000 Americans every week.

Because it has not undergone official human testing and is not approved for the treatment of monkeypox, that shift has been a formidable challenge — causing delays, piles of paperwork and denial of care. And federal officials so far are resisting emergency measures that could provide it to suffering patients more quickly.

**DRUG » PAGE 10**



WANGYUXUAN XU — STAFF PHOTOGRAPHER

Dominic Sardina, 42, here in his San Francisco apartment on Friday. It took two weeks for Sardina, a programmer, to get a prescription for TPOXX, the only antiviral medication that treats monkeypox.

### NEW ATHLETE ALLEGATIONS

## Another scandal comes to light

Ex-gymnastics coach left after SJSU probe concludes 'verbal abuse and intimidation'

By **Julia Prodis Sulek**  
*jsulek@bayareanewsgroup.com*

**SAN JOSE »** Another San Jose State athlete has come forward with sexual assault accusations against former head athletic trainer Scott Shaw, expanding the scandal that led to \$5 million in payouts to more than two dozen victims and the resignations of the university's athletic director and president.

But in telling her story, the woman revealed another, little-known scandal within the embattled university athletics department in recent years: the allegedly relentless bul-

lying of student-athletes by the former head gymnastics coach.

Wayne Wright, who coached the Spartans to three conference championships over two decades, stepped down in 2018 after 25 gymnasts came forward as part of a university investigation with accounts that Wright instilled a culture of fear and intimidation and called the gymnasts "stupid" and "slut" or "whore."

Despite those findings, Wright departed with accolades from former athletic director Marie Tuite but no apparent public acknowledgment. **SJSU » PAGE 15**

### NEWS ON THE GO

Download Bay Area News Digest from the app store for your iPhone.

### INDEX

Classifieds ..... B8-9  
Economy ..... E1

Local ..... B1  
Lottery ..... A2  
Obituaries ..... B11-14

Opinion ..... A12  
Puzzles ..... B16  
TV ..... B18

### WEATHER

H: 73-82 L: 57-61  
Full report on B20



MediaNews Group  
Subscribe:  
MercuryNews.com  
©2022





*‘Boswell has been the aggressor for years. And now Vidovich is the aggressor. Each one blames the other. They’re all doing the same thing, in our eyes.’*

— Doug Verboon, a Kings County supervisor and walnut farmer who works the same 187 acres that his grandfather bought in 1906



NHAT V. MEYER — STAFF PHOTOGRAPHER

Construction is halted on a 48-inch water pipe that is planned to go under the Tulare Lake Canal, right, in Kings County just south of Stratford.

## Water

FROM PAGE 1

backdrop of deep distrust in the community about both companies’ hidden agendas.

In this fragile and failing oasis, small farmers worry that both will sell precious water to the highest bidders, then ship it far away.

“Boswell has been the aggressor for years. And now Vidovich is the aggressor,” said Doug Verboon, a Kings County supervisor and walnut farmer who works the same 187 acres that his grandfather bought in 1906.

“Each one blames the other,” he said. But with shared ambitions of buying land and moving water, “they’re all doing the same thing, in our eyes.”

### The dispute

Sandridge Partners, controlled by Vidovich, is building a 10-mile-long route on its properties to ship water from its wells in the north to its thirsty fields in the south.

To get there, the pipeline has to cross under a Boswell-controlled canal. While Vidovich owns the surrounding land, Boswell’s Tulare Lake Canal Company traverses it with a long-standing legal easement established back in 1906, in spidery cursive print, by the long-dead owner of a long-gone ranch.

Boswell’s team predicts huge harm. The pipeline “will pose a constant and continued threat to the easement’s function, compromising the structural integrity of the easement through saturation and subsidence or by negligent maintenance,” wrote attorney Leonard Herr.

Rubbish, said Vidovich, in a Los Altos office decorated with maps of his land holdings. “It won’t hurt the canal,” he said. “It’s my property, and I have a right to cross.”

Boswell’s response has a touch of spaghetti Western quality. The company periodically flies a helicopter over Vidovich’s rangelands, its ominous *WHOMP-WHOMP-WHOMP* frightening cattle already stressed by drought, said dairy and beef farmer Jim Wilson, who leases nearby land from Vidovich. To block construction of the pipeline, Boswell parked a parade of giant construction vehicles atop the canal’s embankments.

Vidovich, who has declined to sign paperwork ensuring his pipeline won’t cause harm, filed a lawsuit alleging trespass. Legal bills for this and other Boswell-related disputes are costing hundreds of thou-



DAI SUGANO — STAFF PHOTOGRAPHER

John Vidovich, a prominent South Bay land developer, poses with maps of his Central Valley acreage. Vidovich is locked in a battle with the J.G. Boswell Co., which controls a canal in the path of a pipeline Vidovich wants to build.

sands of dollars, he said.

His strategy, and his Silicon Valley wealth, arouse both admiration and suspicion in this rural community. The pipeline, bankrolled by his investment firm Sandridge Partners, is an efficient and conservation-minded way to ship water, he says. It will carry his private water on his private land, never leaving the region’s geological basin. But Vidovich has a history of selling and shipping water outside the valley, so some locals don’t trust him.

### A desperate valley

The ancestral Tulare Lake was once the master of this valley, a catch basin for four mighty rivers — the Kern, Tule, Kaweah and Kings — flowing down from the Sierra. Before being dammed and diverted, the water was home to millions of birds, mountain lions, wolves, bears and more. Native Americans fished from reed boats. Now the land is dry and saline, drained to support a vast and rigid geometry of nut, fruit and dairy farms. The depletion is causing land to collapse nearly a foot a year, in what U.S. Geological Survey hydrologists Devin Galloway and Francis Riley called “one of the single largest alterations of the land surface attributed to humankind.”

Late to the state’s water game, the region’s farmers are the first to have their supplies curtailed. Falling groundwater levels are stressing their wells.

Faced with scarcity,



NHAT V. MEYER — STAFF PHOTOGRAPHER

An entrance at J.G. Boswell Co. is seen in Corcoran. The company is intensely private and declined interview requests for this story.

farmers are very protective of their pipes and canals, said Buzz Thompson, a Stanford Law School professor and director of the university’s Water in the West program. There have been several instances where damaged equipment has reduced flows, he said.

While water has been moved, bought, sold and traded in California for decades, most deals have typically involved small supplies. That’s changing.

The drought is driving prices and shifting business practices. In recent years, there’s been a consolidation of farms, as investors buy land with reliable water supplies and then fallow the fields — because, in an era of climate change, water can be more lucrative than crops.

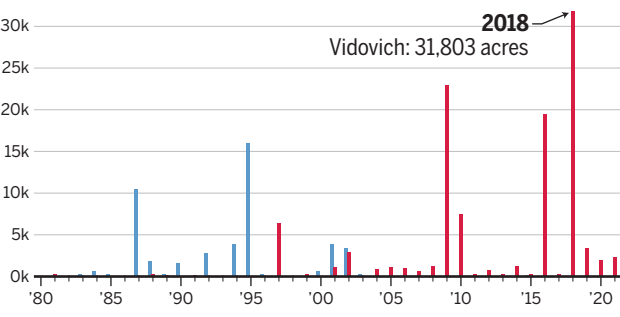
### LAND KINGS OF KINGS COUNTY

For decades, the largest landowner in Kings County was J.G. Boswell, but that reign has been challenged by Silicon Valley developer John Vidovich who purchased or gained control of vast amounts of land since 2000.

#### Acres controlled by year

Vidovich acquired 123,425 acres (4 times the size of San Francisco) within the past 22 years with the most in 2018.\*

Boswell ■ Vidovich



\*Note: 85,023 acres of land controlled by Boswell and 13,398 acres for Vidovich did not have a purchase date available, so they were not included in this chart.

Source: Kings County Assessor’s Office, Parcel Quest  
RESEARCH BY VERONICA MARTINEZ, GRAPHIC BY PAI/BAY AREA NEWS GROUP

“There’s going to be a lot of very creative and motivated people looking for ways to get water to their crops, or to get water to somebody’s crops — moving it around” from low-value to high-value acreage, said Jay Lund, head of the Center for Watershed Sciences at UC Davis.

But this can lead to conflict and distrust. Longtime small farmers say water is hard to track — and could drain toward rich and politically powerful users, leaving them dry. While some counties and water boards prohibit water exports, others don’t.

In an era of climate change, “everybody is scrambling. I think we’re going to see more of these fights break out over water among competing users,” said Richard Frank, professor of environmental practice at the UC Davis School of Law.

“As water users fight over a decreasing amount of water,” he said, “it’s just inevitable.”

### Boswell is ‘King Kong’

The historic king of the region is the J.G. Boswell Co., which pioneered industrial-scale agriculture to become the largest farming operation in California.

Founded in 1925 by James Griffin “J.G.” Boswell, a Stanford grad who served on the boards of General Electric, Safeway and the California Institute of Technology, the company has used its business smarts, political clout and legal strategies to acquire water and transform a modest cotton farm into an agricultural empire.

“Water rights are like democracy,” he told Forbes in 1989. “Once you have them, you spend a lifetime defending them.”

On more than 150,000 acres — 132,000 in Kings County alone, according to ParcelQuest — the company grows, processes and sells cotton, tomatoes, wheat, alfalfa and seed crops. It’s also in the real estate business, developing and marketing master planned communities and business parks.

For generations, the company has supplied steady work for Kings County families and has been an integral part of the region’s identity, helping to build a community park, the YMCA, Corcoran District Hospital and the high school football stadium. It supports two full-ride college scholarships to the top graduates of Corcoran High School and a faculty position at Fresno State.

The company is now run by son Jim, or “J.W.”, 69,





PHOTOS BY NHAT V. MEYER — STAFF PHOTOGRAPHER

Jim Wilson, owner of J & D Wilson & Sons Dairy, says cattle died after a Boswell Co. helicopter buzzed his farm that he leases from John Vidovich. Vidovich's supporters like Wilson say "he loves to help people." But others are suspicious of Vidovich's record of buying land and selling its water.

# Water

FROM PAGE 8

who lives 2.5 hours away from this dusty valley in a palatial home in the wealthy Southern California town of La Cañada Flintridge. Like his father, he's an intensely private businessman. Jim Boswell, his attorney and Tulare Lake Canal Co. President Mark Unruh did not respond to repeated requests for comment.

But some residents and local leaders are growing wary of the company's dominance and secrecy.

"It's King Kong," Wilson said.

The company operates the most wells in the lake basin — and the deepest ones. It is leaning more heavily on groundwater, say locals, because it's selling or transferring portions of its surface supplies from the State Water Project and Kings River. More pumping, locals say, worsens the region's destructive land subsidence.

"They're the 300-pound gorilla," said Mark Grewal of Grewal Consulting, who worked for J.G. Boswell Co. for 26 years and now advises the region's growers on water and land management issues.

"They've always been able to bully anyone," he said. "But, until now, nobody had the money to fight back."

## Vidovich: Deep pockets

In Vidovich, J.G. Boswell has met its match.

In blue jeans and running shoes, he cuts a slim figure, with closely cropped gray hair and steely blue eyes. Like J.W. Boswell, Vidovich is heir to a real estate empire.

His grandfather, who came to California from Croatia in 1908, got his start with 10 acres of cherries and apricots in Mountain View. Father Stephen excelled in land deals, trading the toil of farming for successful real estate offices and expense accounts.

The company has built lucrative apartment, condominium, mobile home, hotel and office projects all over the South Bay and Peninsula, from Redwood City's Trailer Villa RV Park to Los Altos Gardens condominiums, with imported European appliances and hand-cut marble.

John, 66, is a former military intelligence officer and Santa Clara Law School graduate who served as Santa Clara County Plan-



The Tulare Lake Canal, largely controlled by J.G. Boswell Co., has a longstanding easement from 1906 across what is now Vidovich's property. Boswell says if the pipeline failed and the canal collapsed, precious well water would be lost.

ning Commissioner from 1990 to 1994 and is as shrewd as his father. Locals recount how he bought a 360-acre parcel in Los Altos Hills for \$5.5 million — and, only four years later, turned around and sold part of it to the MidPeninsula Regional Open Space District for \$9.3 million.

Among other projects, he developed the posh Quarry Hills subdivision in Los Altos Hills with 22 multimillion-dollar luxury homes, where he now lives in a 15,000-square-foot house on 10 acres and a vineyard.

"But if you want to be in agriculture, you need to go to the Central Valley," Vidovich said.

He bought his first San Joaquin Valley parcel in 1994 when he invested in a foreclosed property in Kings County. Since then, his Sandridge Partners has accumulated ownership or control of thousands of acres of farmland across the Central Valley — 123,424 in Kings County alone, per ParcelQuest, focusing on land with secure surface water rights or where groundwater is abundant.

As a relative newcomer, Vidovich said he angered Boswell when he outbid the company on Westlake Farms, one of the oldest and largest farms in California, with valuable access to groundwater and Kings River flows.

"So now they're doing everything they can to frustrate my ability to utilize the property," Vidovich said.

While he owns less acreage than Boswell, more of it is devoted to high-value or-



Kings County Supervisor and third-generation farmer Doug Verboon worries that water will be sold and leave the region, threatening the survival of the county's small-time growers.

chards. A tree crop, with the investment of years and irrigation equipment, can be worth \$40,000 to \$50,000 an acre; in contrast, row crops are about \$10,000 an acre.

Vidovich's supporters like Wilson say "he loves to help people," donating lap-tops to the struggling Stratford school district and inviting local Native Americans to his property to harvest reeds and teach basket-weaving traditions.

"He wants his fair share, but he wants everybody else to prosper, too."

But others are suspicious of Vidovich's record of buying land and selling its water, both surface and groundwater, out of the area, sometimes to urban users.

They resent how he sold \$73 million worth of water rights to the Mojave Water Agency in Southern California. He replenished it by shipping water from his property in Tulare County,

25 miles away, infuriating locals there.

More recently, he earned \$40 million in an easement deal with a water bank and exchange that seeks to siphon flood water out of a Kings County canal for storage in Kern County.

Locals also are nervous about six new pump stations, controlled by Vidovich, that they fear could pump massive amounts of groundwater out of Tulare County, into the California Aqueduct, and down to Southern California.

"He's serious about taking water out of this valley," farmer Milt Pace, who once partnered with Vidovich, told The Bakersfield Californian. "He does enough farming in the area to make it look like he's a farmer. But it's just a cover for taking water out."

## The pipeline fix

Even for someone with Vidovich's savvy, the depth of this summer's drought

could be devastating.

He has plenty of well water in the northern part of Kings County, outside J.G. Boswell territory. But there's none for his precious corn, almond and pistachio trees in the south county — and, because of new restrictions, he can't simply drill a new well there.

So he started laying pipes last December. The project seemed simple: Using existing canals and new 48-inch pipe, he would ship water 10 miles from his property in Lemoore to property south of Stratford. No announcement was made; locals noticed excavation, first reported by Lois Henry of SJV Water, a nonprofit news site that covers water issues in San Joaquin Valley.

"It's a water-saving method," Vidovich said. "You don't lose one drop at all."

The pipe needed to cross under Boswell's dirt canal, but that seemed like no big deal to Vidovich. Made of durable plastic, the pipe would be buried 4 feet below the bottom of the canal, with a foot-deep cement barrier to protect both. Even if it leaked, it would simply add water to the canal, Vidovich insists. The project would take five days to complete when the canal wasn't in use.

"You can't stop a grower from taking his own water to his crops," said consultant Grewal. "There's no issue with the pipeline."

In court, Boswell's retort: No way.

If the pipeline failed and the canal collapsed, precious well water would be lost, the company asserted.

Due to the drought, this water would be impossible to replace, it said.

So the company drafted a list of demands. It wanted assurance that the pipeline won't interfere with the canal, as well as proof that Vidovich has \$5 million in insurance if the canal gets damaged. It alleged that Vidovich broke state law by not doing an environmental review of the project.

In court, Boswell also warned about the pipeline's potential use, suggesting that water could eventually end up in Southern California. "Where is the water going? When will it be used? Who is going to use it?" said attorney Herr, according to SJV Water's Henry.

On a chilly morning in January, the day the pipe was to cross under the canal, Boswell's crew arrived to block construction with trucks, trailers, excavators, a motor grader and a bulldozer with the diamond "B" logo, according to the lawsuit.

The helicopter buzzing started in February, scattering cattle. According to a lawsuit, one animal bolted through an electric fence onto a highway, where it was killed by a truck.

"They all just started running, and kept running, and blew right through the hot wire fence," recalled dairyman Wilson, who estimates \$80,000 in fence damage. "It was like being in the middle of a hurricane."

Even now, months later, the flyovers continue, Wilson said. He never knows when, but the pattern is the same, based on flight radar recordings. Meanwhile, without water, his cattle's corn crop is stunted.

"It's ridiculous," he said. "I'm in a dire situation."

The pipeline project is suspended while the two sides battle in court. But Vidovich isn't backing down.

"Their goal is to prevent me from successfully farming. ... They're just mad I'm here," he said. "We're building infrastructure, and they don't like it."

What if the endless days without rain become endless years? How will money and power reshape this desiccated landscape?

"Water seems to be disappearing," said Verboon. Like other small farmers, "my water stays on my ground. I can't afford to move it."

"But the Boswells and Vidoviches can invest to move water around," he said. "And that scares the hell out of everybody who lives here."

*‘Water rights are like democracy. Once you have them, you spend a lifetime defending them.’*

— James Griffin "J.G." Boswell told Forbes in 1989