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13 Reclamation District 108 et. al

14 BEFORE THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

15 In the matter of Hearing re California
16 WaterFix Petition for Change

17 **SACRAMENTO VALLEY WATER
18 USERS' OBJECTIONS TO WRITTEN
19 TESTIMONY AND EXHIBITS
20 SUBMITTED BY PETITIONERS U.S.
21 BUREAU OF RECLAMATION AND
22 CALIFORNIA DEPARTMENT OF
23 WATER RESOURCES**

24 **I. INTRODUCTION**

25 The Sacramento Valley Water Users (SVWU) object to the written testimony and many of
26 the exhibits submitted by the United States Bureau of Reclamation (Reclamation) and California
27 Department of Water Resources (DWR) as part of their case in chief for Part 1A of the California
28 WaterFix petition for change proceeding. The testimony and exhibits do not contain sufficient
information to support the conclusion reached by Petitioners' witnesses that California WaterFix
will not injure other legal users of water. Also, Petitioners' conclusions regarding legal injury
hinge on speculative assumptions in violation of established rules of evidence governing this
proceeding. Petitioners' testimony purporting to characterize the legal effect of various
agreements cannot be used to prove the contents of these agreements that are also submitted as
exhibits. For these reasons, as more particularly described herein, the SVWU request that the

1 State Water Resources Control Board (Board or SWRCB) exclude portions of the testimony of
2 specific witnesses and the accompanying exhibits relied on by these witnesses.

3 **II. BACKGROUND**

4 On August 25, 2015, Reclamation and DWR submitted a Petition for Change to add
5 points of diversion to water rights for both the State Water Project (SWP) and Central Valley
6 Project (CVP) as necessary for the Cal WaterFix project. The Petition seeks to add three new
7 points of diversion from the Sacramento River in the north Delta to convey water to the south
8 Delta for diversion and/or export. Reclamation and DWR assert that the Petition is limited only
9 to a change to points of diversion/rediversion, not changes to the quantity or timing of diversion,
10 place of use, return flows or consumptive uses of water. (*See e.g.* Petition, at p. 19.) However,
11 the Petition does not provide operating criteria or propose permit terms to support this assertion.

12 In recognition of the technical nature of the requested change, the Notice of Petition
13 issued by the Board on October 30, 2015 directed the parties comply with a standard requirement
14 that all “[e]xhibits based on technical studies or models shall be accompanied by sufficient
15 information to clearly identify and explain the logic, assumptions, development, and operation of
16 the studies or models.” (Notice of Petition, at p. 33.) In addition, on February 11, 2016, the
17 hearing officers for the California WaterFix Petition Hearing issued a Pre-Hearing Conference
18 Ruling that addressed several procedural issues, including specific requirements for Reclamation
19 and DWR’s case-in-chief in support of the Petition. In that Ruling, the hearing officers noted that
20 information provided by DWR and Reclamation “lacks clarity in several ways, including whether
21 operational criteria are intended to constrain project operations or are identified for modeling
22 purposes only, areas where a specific operational component or mitigation measure is not yet
23 chosen or identified, operational parameters that are not defined and deferred to an adaptive
24 management process, and lack of clarity concerning some mitigation measures.” (Feb. 11 Ruling,
25 at p. 6.) To remedy this lack of clarity, the hearing officers directed DWR and Reclamation to
26 provide the information required by California Code of Regulations, title 23, section 794(a) “in a
27 succinct and easily identifiable format.” (Feb. 11 Ruling, at p. 7.) Significantly, the information
28 required by section 794(a) includes proposed diversion, release and return flow schedules and the

1 identification “in quantitative terms of any projected change in water quantity, water quality,
 2 timing of diversion or use, consumptive use of the water, reduction in return flows, or reduction
 3 in the availability of water within the streams affected by the proposed change(s).” (Cal. Code
 4 Regs., tit. 23, § 794(a)(6); 794(a)(9).)

5 On May 31, 2016, Reclamation and DWR submitted written testimony and exhibits to
 6 support the Petition. In that testimony, DWR and Reclamation attempt to provide the required
 7 information (*see e.g.* DWR-324), but concede that they cannot do so with particularity: “Since the
 8 BiOp has not been issued, and DWR and Reclamation do not know the initial operational criteria,
 9 the analytical framework presented for Part 1 is a boundary analysis.” (DWR-51, at p. 10:8-10.)
 10 The “boundary analysis” presented by Petitioners attempts to “provide a broad range of
 11 operational criteria” (DWR-51, at p. 10:10), but the conclusions offered in the written testimony
 12 are not supported by the necessary data or analysis and do not satisfy the information
 13 requirements of the February 11 Ruling or the regulations.

14 **III. ARGUMENT**

15 Administrative hearings and discovery procedures are governed by the Water Code (Wat.
 16 Code, § 1075 et seq.) and SWRCB regulations (Cal. Code Regs., tit. 23, §§ 648 et seq.), which
 17 incorporate portions of the Administrative Procedure Act (Gov. Code, § 11400 et seq.), Evidence
 18 Code sections 801-805 and the Civil Discovery Act (Code Civ. Proc., § 2016.010 et seq.).
 19 Government Code section 11513 states an administrative hearing is not conducted according to
 20 technical rules relating to evidence and witnesses, but relevant evidence must be “the sort of
 21 evidence on which responsible persons are accustomed to rely in the conduct of serious affairs.”
 22 (Gov. Code, § 11513(c).) Under administrative standards of admissibility, “the evidence must be
 23 relevant and reliable.” (*Aengst v. Board of Medical Quality Assurance* (1980) 110 Cal.App.3d
 24 275, 283.)

25 **A. Opinion Testimony Based on Computer Modeling, and Further Opinion** 26 **Based on That Testimony, Lacks Foundation Because the Underlying Factual** 27 **Basis has Not Been Submitted and Should Be Excluded.**

28 An adjudicative body “may, and upon objection shall, exclude testimony in the form of an
 opinion that is based in whole or in significant part on matter that is not a proper basis for such an

1 opinion.” (Evid. Code, § 803.) In particular, opinion testimony must be based on the proper
2 foundation and “provide a reasonable basis for the particular opinion offered.” (*Lockheed*
3 *Litigation Cases* (2004) 115 Cal.App.4th 558, 564.) In a recent enforcement proceeding, the
4 Board explained that it will “disregard testimony that has no bearing on the facts to be
5 determined, including conclusory testimony as to ultimate issues raised in these proceedings
6 where the testimony does not make clear the underlying factual foundations for the opinion
7 offered.” (Ruling on Motions Filed in the Matters of Administrative Civil Liability Complaint
8 Against Byron-Bethany Irrigation District and Draft Cease and Desist Order Against the West
9 Side Irrigation District (“BBID Ruling”) (Mar. 18, 2016, at 4); *see also id.* at 7 (“We will
10 disregard any testimony that we find to be entirely conclusory or lacking foundation.”).) In the
11 Byron-Bethany Irrigation District and West Side Irrigation District enforcement proceeding, the
12 Board allowed opinion evidence based on modeling analysis where the modeling was described
13 in a technical report that afforded the parties “the ability to analyze and understand the model
14 runs.” (*Id.* at 4.) However, the weight of the evidence would be discounted where there was no
15 proper foundation to demonstrate the reliability of the information in that report. (*Id.* at 2.)

16 The written testimony of several Reclamation and DWR witnesses offers opinions based
17 on computer modeling of various scenarios for the operation of the proposed new points of
18 diversion. The assumptions and results of the computer modeling are presented in the Testimony
19 of Armin Munévar (DWR-71), graphs purporting to show simulated deliveries to various water
20 users (DWR-514, Figures 2 through 10), and exceedance probability charts of simulated exports
21 and carryover storage (DWR-514, Figures 11 through 15). However, the evidence submitted by
22 DWR and Reclamation¹ fails to include a technical memorandum describing the modeling
23 approach or assumptions or data tables for critical modeling results such as end of month storage
24 levels. The evidence fails to “clearly identify and explain the logic, assumptions, development
25 and operations of the model”, as the SWRCB has explicitly required in this hearing. (Notice of
26

27 ¹ The evidence submitted in this proceeding does not include information made available by DWR or Reclamation on
28 the Internet or in response to a request for public records. The SVWU reserve the right to object to additional
evidence submitted by or relied upon by DWR or Reclamation in the future.

1 Hearing, at p. 33.) For example, Exhibit DWR-515 does not explain the model’s logic,
 2 assumptions and operations. It is at best an outline and is full of acronyms and abbreviations that
 3 make it very difficult to follow and understand.

4 Importantly, the modeling testimony lacks any clear explanation of how the Boundary 1
 5 and Boundary 2 scenarios were developed or are likely to represent actual operation of the
 6 projects. (*See e.g.* DWR-51, at pp. 13-14.) Indeed, the testimony of Armin Munévar admits that
 7 the modeling does not reflect actual operations. (DWR-71, at pp. 4:24-26, 12:15-18, 15:8-10.)
 8 Without this information, protestants cannot follow the analytical path used by Petitioners to
 9 reach their conclusions that the Petition will not injure legal users of water. Providing this
 10 information is after all the purpose of Section 794(a) of the regulations. Moreover, the Petitioners
 11 must be able to “explain and support the manner in which the [boundary] analysis was
 12 constructed and used” and “whether the analysis ma[kes] sense in application to these . . .
 13 proceedings.” (*See* Byron-Bethany Irrigation District Ruling, SWRCB Order WR 2016-0015, at
 14 16.) Without the necessary explanation, Petitioners’ modeling testimony lacks foundation and
 15 should be excluded.

16 Because Petitioners’ modeling testimony lacks foundation and is not supported by
 17 sufficient evidence to demonstrate the modeling’s reliability, Petitioners’ expert testimony
 18 concerning the effect of the project on other legal users of water also lacks foundation and is not
 19 reliable because its sole basis is the modeling. Several of Petitioners’ key witnesses rely on the
 20 modeling testimony to support their opinions, particularly in opining that that project will not
 21 injure other legal users of water. (DWR-51, at pp. 10:8-16, 13:17-14:9 (Jennifer Pierre); DWR-
 22 53, at pp. 8:17-19, 11:20-12:16 (Maureen Sergent); DOI-4, at pp. 6-7, 9 (Ray Sahlberg), at pp. 14,
 23 17, 18 (Ray Sahlberg PowerPoint); DOI-7, at p. 4 (Ron Milligan).)

24 Based on the foregoing, the SVWU object to the following testimony and exhibits
 25 submitted by Petitioners:

- 26 1. DWR-5, at pp. 16-17, 28-82²

27 _____
 28 ² The SVWU also object to DWR-5 to the extent that anything contained within it is inconsistent with the written
 testimony of Armin Munévar (DWR-71) or Parviz Nader-Tehrani (DWR-66). (Evid. Code, § 803; *see, e.g.*, BBID

- 1 2. Testimony of Jennifer Pierre (DWR-51, at pp. 10:8-16, 13:17-14:9)
- 2 3. DWR-114
- 3 4. DWR-116
- 4 5. Testimony of Maureen Sergent (DWR-53, at pp. 8:17-19, 11:20-12:16)
- 5 6. Testimony of Armin Munévar (DWR-71, at pp. 2:19-23, 15:5-24, 16:21:6)
- 6 7. DWR-513
- 7 8. DWR-514
- 8 9. DWR-515
- 9 10. Testimony of Parviz Nader-Tehrani (DWR-66, at pp. 2:10-11, 4:23-7:21, 8:7-
- 10 11:18)
- 11 11. Testimony of Ray Sahlberg (DOI-4, at pp. 6-7, 9)
- 12 12. PowerPoint of Ray Sahlberg (DOI-5, at pp. 14, 17, 18)
- 13 13. Testimony of Ron Milligan (DOI-7, at p. 4)

14 **B. Opinion Testimony Concluding That Legal Users of Water Will Not Be**
 15 **Injured by the Change Is Improper for An Expert and Should Be Excluded.**

16 As a general rule, the opinion of an expert is admissible when related to a subject
 17 sufficiently beyond common experience that the opinion of an expert would assist the trier of fact.
 18 (Evid. Code, § 801, subd.(a).) Testimony in the form of an opinion that is otherwise admissible is
 19 not objectionable because it embraces the ultimate issue to be decided by the trier of fact. (Evid.
 20 Code, § 805.) “However, the admissibility of opinion evidence that embraces the ultimate issue
 21 in a case does not bestow upon an expert carte blanche to express any opinion he or she wishes.
 22 There are limits to expert testimony, not the least of which is the prohibition against admission of
 23 an expert’s opinion on a question of law.” (*Summers v. A.L. Gilbert Co.*, 69 Cal.App.4th 1155,
 24 1178 (1999).) This legal principle exists so that parties cannot sneak legal conclusions into
 25 evidence under the guise of expert opinion. (*People v. Stevens*, 62 Cal.4th 325, 336 (2015).)
 26 Irrelevant or speculative matters are not a proper basis for an expert's opinion. (*See Cooper v.*

27 Ruling at 5-6 (striking from the record portions of expert testimony that contradicted earlier deposition statements
 28 because the risk of prejudice outweighed the probative value.)

1 *Takeda Pharmaceuticals America, Inc.* 239 Cal.App.4th 555, 577 (2015) (“An expert's opinion
2 that something could be true if certain assumed facts are true, without any foundation for
3 concluding those assumed facts exist in the case ... does not provide assistance to the jury
4 because the jury is charged with determining what occurred in the case before it, not hypothetical
5 possibilities.”); *see also Roscoe Moss Co. v. Jenkins*, 55 Cal.App.2d 369, 380 (1942) (expert may
6 not base opinion upon a comparison if the matters compared are not reasonably comparable);
7 *Long v. Cal.-Western States Life Ins. Co.*, 43 Cal.2d 871, 882 (1955) (speculative or conjectural
8 data are not properly the subject of expert testimony.) Although there is no risk of prejudicing a
9 jury in this instance, legal conclusions should be disregarded because they do not aid the Hearing
10 Officers in their fact-finding. (*See* BBID Ruling at 5 (“To the extent that we find [an expert] has
11 offered conclusory legal opinions that do not assist us in our factual determinations, we will
12 disregard them.”).)

13 Petitioners admit that initial operating criteria are not available, but will be developed
14 prior to operation of the project. (DWR-51, at p. 10:6-7.) In the absence of initial operating
15 criteria, Petitioners analyze effects on legal users of water by undertaking a boundary analysis.
16 (DWR-51, at p. 10:2-16.) Petitioners contend that the boundaries are broad enough so that any
17 operations considered with this change will have been evaluated with regard to effects on legal
18 users of water. (DWR-51, p. 10:11-14.) This sort of analysis does not provide the kind of
19 specificity with respect to project operations that is necessary for Petitioners’ experts to draw
20 conclusions about effects on legal users of water. (*See* Cal. Code. Regs., tit. 23, § 794(a).)

21 The boundary analysis is speculative in a number of significant ways. First, ignoring the
22 Hearing Officer’s direct request, Petitioners have failed to propose permit terms for the SWRCB
23 to impose if the petition is granted. Without proposed permit terms, there is no evidence that
24 project operations would be constrained as contemplated in the modeling, or that the conclusions
25 Petitioners draw from the modeling would reflect real-life operations.

26 Second, the testimony does not explain how the Alternative 4A, H4 scenario could operate
27 consistent with the Agreement Between the United States of America and the State of California
28 for the Coordinated Operation of the Central Valley Project and State Water Project (COA).

1 Section 3406(b)(7) of the Central Valley Project Improvement Act requires the Reclamation to
2 operate the CVP consistent with COA. Exhibit DWR-515, which briefly summarizes the
3 modeling assumptions, specifically states: “This additional spring outflow is not considered as an
4 ‘in-basin use’ for CVP-SWP Coordinated Operations.” (Exh. DWR-515, at p. 3.) This
5 assumption would violate COA, because COA treats outflow requirements to meet water quality
6 standards as in-basin uses. Therefore, the conclusions in Petitioners’ testimony with respect to
7 the Alternative 4A, H4 scenario are unrealistic and lack the necessary evidentiary support.

8 Third, Petitioners’ testimony does not explain where additional water for outflows in the
9 Boundary 2 scenario would come from, and therefore does not support the Petitioners’ conclusion
10 that the project will not harm other legal users of water. Exhibit DWR-515 describes one element
11 of the Boundary 2 “high flow” scenario as follows: “attempted to achieve through Delta export
12 curtailments by an amount needed to meet the outflow goal.” (DWR-515, p. 2.) For the
13 Boundary 2 scenario, Petitioners also assume that for “outflow goals during Jul-Sep of non-
14 Critical water year types, upstream reservoir releases are permitted to meet the additional outflow
15 goals.” (Exhibit DWR-515, p. 2.) Petitioners do not appear to be proposing that the Board
16 actually require that Boundary 2’s requirements could be met only through export
17 curtailments. There is no explanation for what sort of upstream storage releases occurred in the
18 modeling and how those might have varied if exports were not curtailed, as would be possible
19 without appropriate permit terms. Petitioners’ concluding opinion that Boundary 2 would not
20 injure other legal users of water therefore is not supported by their testimony.

21 Fourth, Petitioners’ conclusions that the California WaterFix will not result in injury to
22 legal users of water during severe water shortages lack foundation. Petitioners admit that the
23 modeling does not reflect how the projects would operate during severe water shortages, because
24 Petitioners state they would file temporary urgency change petitions to modify operations during
25 these shortages. (Testimony of John Leahigh, DWR-61, p. 8; *see also* Biological Assessment
26 §3.7.2, p. 3-215.) Without knowing what might be contained in any approval of a temporary
27 urgency change petition, Petitioners’ experts are left to speculate about future operations
28 scenarios. By speculating about future project operations with California WaterFix in place,

1 Petitioners' experts cannot properly conclude now that the project will not injure any legal user of
2 water.

3 For these reasons, Petitioners have failed to respond to the Hearing Officers' direction to
4 provide the information required by California Code of Regulations, title 23, section 794(a) "in a
5 succinct and easily identifiable format." Instead of offering a specific "proposed diversion,
6 release and return flow schedule," Petitioners note the complexity of SWP/CVP operations and
7 rely on so-called "adaptive management" that is lacking in any substantive basis. (DWR-324, at
8 pp. 5-6.) Furthermore, instead of identifying "in quantitative terms" any projected change in
9 water quantity, etc., the Petitioners rely generally on the improper modeling testimony of Mr.
10 Nader-Tehrani and Mr. Munévar to describe potential effects to users and real time operations.
11 (DWR-324, at p. 8.) Nothing in DWR-324, which purports to be responsive to the Board's
12 direction, remedies the lack of clarity regarding operational criteria or mitigation that will be
13 incorporated into the proposed project.

14 Based on the foregoing, the SVWU object to the following testimony and exhibits
15 submitted by Petitioners:

- 16 1. DWR-3,³ at pp. 8-9, 16-17.
- 17 2. DWR-4,⁴ at p. 38.
- 18 3. DWR-5, at pp. 16-17, 28-82.
- 19 4. Testimony of Jennifer Pierre (DWR-51, at pp. 10:8-16, 13:17-14:9)
- 20 5. DWR-114
- 21 6. DWR-115
- 22 7. Testimony of Maureen Sergent (DWR-53, at pp. 3:22-25, 8:14-19, 10:24-15:11,
23 24:5-28)
- 24 8. Testimony of John Leahigh (DWR-61, at pp. 5:23-25, 6:6-8, 7:18-22, 8:3-8, 16:9-
25 15, 17:5-11, 17:23-18:25, 19:15-26, 20:6-18)

26 ³ The SVWU also object to DWR-3 to the extent that anything contained within it is inconsistent with the written
27 testimony of Maureen Sergent (DWR-53). (Evid. Code, § 803; *see, e.g.*, BBID Ruling at pp. 5-6.)

28 ⁴ The SVWU also object to DWR-4 to the extent that anything contained within it is inconsistent with the written
testimony of John Leahigh (DWR-61). (Evid. Code, § 803; *see, e.g.*, BBID Ruling at pp. 5-6.)

- 1 9. Testimony of Armin Munévar (DWR-71, at pp. 2:19-23, 12:15-18, 12:27-13:20,
2 15:5-24, 16:12-21, 17:7-14, 19:10-24, 19:26-21:4)
- 3 10. Testimony of Parviz Nader-Tehrani (DWR-66)⁵
- 4 11. DWR-324
- 5 12. DWR-513
- 6 13. DWR-514
- 7 14. DWR-515
- 8 15. Testimony of Ray Sahlberg (DOI-4m at pp. 6-7, 9)
- 9 16. PowerPoint of Ray Sahlberg (DOI-5, at pp. 14, 17, 18)
- 10 17. Testimony of Ron Milligan (DOI-7, at p. 4)

11 **C. Testimony May Not Be Used to Prove the Content of Writings**

12 Oral testimony and written testimony in the form of declarations and affidavits are not
13 admissible to prove the contents of writings unless otherwise permitted by statute. (Evid. Code
14 §1523, subd. (a); *see also Miley v. Harper*, 248 Cal.App.2d 463, 468 (1967) [best evidence rule,
15 the precursor to the secondary evidence rule, applies to affidavits or declarations].) The rule is
16 designed to minimize the possibility of misinterpreting writings where slight differences in
17 written words may make vast differences in meaning and the possibility of fraud and mistake in
18 proof of the contents of writing exist unless the writing itself is produced. It is assumed that
19 testimony as to the content of a writing is typically less reliable than other proof of the content of
20 a writing (Evid. Code §1523, Law Revision Commission Comments.) Testimony of a witness to
21 prove the content of a writing is admissible only if: (1) the proponent does not have possession or
22 control of a copy of the writing; and (2) the original is lost or has been destroyed without the
23 proponent's fraudulent intent. (*Id.*, subd. (b).)

24 DWR's testimony at DWR-53 violates these rules with respect to the asserted legal effect
25 and contents of settlement agreements within the Feather River Service Area. For example, Ms.

26 _____

27 ⁵ Mr. Tehrani's analysis relies on the testimony of Mr. Munévar, specifically the CalSimII output that feeds into the
28 DSM-2 model. (DWR-66, at p. 2:10-11.) To the extent that the particular results from the modeling analysis that
 supports Mr. Munévar's testimony is lacking, Mr. Tehrani's opinions concerning the California WaterFix's impacts
 on water quality and water levels in the Delta lack foundation.

1 Sergent’s testimony that “[t]he settlement agreements contain no entitlement to SWP water
2 stored in Oroville, storage of local water, or end of season storage in Lake Oroville. Water stored
3 in Lake Oroville is stored exclusively under DWR’s water rights[.]” impermissibly attempts to
4 substitute testimony, in the form of a characterization of the contents of the settlement
5 agreements, for the content of the settlement agreements themselves. (DWR-53, pp. 17:25-18:2.)
6 Moreover, the testimony mischaracterizes the content and legal effect of the agreements, a point
7 affected members of the SVWU will make at the appropriate time in this proceeding.

8 The testimony would only be permissible if DWR did not have possession or control of a
9 copy of the agreements and the originals had been lost or destroyed without any fraudulent intent.
10 That is not the case here as demonstrated by the fact that “true and correct copies” of the
11 agreements are submitted as DWR Exhibits (see DWR-314, -315, -318, -321, -323, -325, -326 and
12 -329). Additionally, pursuant to Evidence Code section 1530(a), a purported copy of a writing
13 that is in the custody of a public agency, such as DWR, creates a presumption of the existence
14 and the content of the writing.

15 Ms. Sergent’s testimony on behalf of DWR concerning the content of the Feather River
16 Service Area agreement is neither reliable nor admissible in this proceeding. While this Hearing
17 need not be conducted according to technical rules of evidence (Gov. Code § 11513, subd. (c)),
18 this evidence should not be admitted because responsible people would not rely on another
19 person’s “understanding” of the legal effect of various agreements. Responsible people would
20 instead rely on the agreements themselves, if available, as they are in this proceeding.

21 Based on the foregoing, the SVWU object to the following testimony submitted by
22 Petitioners.

- 23 1. Testimony of Maureen Sergent (DWR-53, at pp. 11:10-13, 17:23-18:4)
- 24 2. Testimony of Ray Sahlberg (DOI-4, at pp. 2, 6 [to the extent Reclamation joins in
25 the improper testimony of Ms. Sergent] and pp. 7-9 [to the extent Reclamation
26 offers testimony on CVP Water Service, Repayment, and Settlement/Operations
27 Contracts separately included as Exhibits DOI-13 through DOI-31])

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IV. CONCLUSION

The witness testimony submitted by Petitioners lacks necessary foundation, and these witnesses' conclusions improperly rely on speculation and improper evidence, and improperly testify as to the contents of written agreements. For these reasons, the SVWU object to the Board's consideration of the evidence discussed herein.

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DATED: July 8, 2016

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DATED: July 8, 2016

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DATED: July 8, 2016

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DATED: July 8, 2016

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STATEMENT OF SERVICE

**CALIFORNIA WATERFIX PETITION HEARING
Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)**

I hereby certify that I have this day submitted to the State Water Resources Control Board and caused a true and correct copy of the following document(s);

**SACRAMENTO VALLEY WATER USERS' OBJECTIONS TO WRITTEN
TESTIMONY AND EXHIBITS SUBMITTED BY PETITIONERS U.S.
BUREAU OF RECLAMATION AND CALIFORNIA DEPARTMENT OF
WATER RESOURCES**

to be served by **Electronic Mail** (email) upon the parties listed in Table 1 of the **Current Service List** for the California WaterFix Petition Hearing, dated July 6, 2016, posted by the State of Water Resources Control Board at

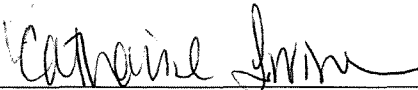
http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml:

Note: In the event that any emails to any parties on the Current Service List are undeliverable, you must attempt to effectuate service using another method of service, if necessary, and submit another statement of service that describes any changes to the date and method of service for those parties.

For Petitioners Only:

	I caused a true and correct hard copy of the document(s) to be served by the following method of service to Suzanne Womack & Sheldon Moore, Clifton Court, L.P., 3619 Land Park Drive, Sacramento, CA 95818: Method of Service: _____
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I certify that the foregoing is true and correct and that this document was executed on July 8, 2016.

Signature: 

Name: Catharine Irvine

Title: Legal Secretary

Party/Affiliation: Downey Brand, LLP

Address: 621 Capitol Mall, Sacramento, CA 95814