

MINASIAN, MEITH, SOARES, SEXTON & COOPER, LLP
1681 Bird Street / P.O. Box 1679
Oroville, California 95965 (530) 533-2885 facsimile (530) 533-0197

1 PAUL R. MINASIAN (SBN 040692)
MINASIAN, MEITH,
2 SOARES, SEXTON & COOPER, LLP
1681 Bird Street
3 P.O. Box 1679
Oroville, California 95965-1679
4 Telephone: (530) 533-2885
Facsimile: (530) 533-0197
5 Email: pminasian@minasianlaw.com

6 Attorneys for
SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY

7
8 **BEFORE THE CALIFORNIA**
9 **STATE WATER RESOURCES CONTROL BOARD**

10)
11) **HEARING IN THE MATTER OF**) **NOTICE TO DEPARTMENT OF**
12) **CALIFORNIA DEPARTMENT OF**) **WATER RESOURCES PURSUANT**
13) **WATER RESOURCES AND UNITED**) **TO GOVERNMENT CODE SECTION**
14) **STATES BUREAU OF**) **11450.50 FOR DEPARTMENT OF**
15) **RECLAMATION'S REQUEST FOR A**) **WATER RESOURCES WITNESSES**
16) **CHANGE IN POINT OF DIVERSION**) **TO APPEAR AT WATERFIX**
17) **FOR CALIFORNIA WATER FIX**) **HEARINGS**
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16 TO: THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES,
17 AND JAMES MIZELL, its attorney:

18 Pursuant to Government Code Section 11450.50, NOTICE IS HEREBY GIVEN
19 by the San Joaquin River Exchange Contractors Water Authority to the Department of
20 Water Resources, by and through its attorneys, James Mizell, JamesMizell@water.ca.gov,
21 that the San Joaquin River Exchange Contractors Water Authority does hereby request
22 and demand that the Department of Water Resources produce the below-described
23 witnesses to appear in the WaterFix hearings. Government Code Section 11450.50(a)
24 states, in part:

25 "The service of a subpoena on the witness is not required if
26 written notice requesting the witness to attend with the time
27 and place of the hearing is served on the attorney of the party
28 or person."

1 NOTICE IS HEREBY GIVEN that this Notice cannot specify the date and time for
2 appearance of the witnesses on behalf of the Department of Water Resources, Petitioner in
3 the above proceeding, because the SWRCB schedule for appearance of witnesses is not
4 known at the present time.

5 1. The Department of Water Resources is provided the reasonable discretion to
6 specify the witnesses to be presented. Among the witnesses should be:

7 DAVID MRAZ, Chief
8 Delta Levees and Environmental Engineering Branch
9 FloodSAFE Environmental Stewardship and Statewide Resources Office
10 Department of Water Resources

11 David Mraz issued the Executive Summary for the Delta Risk Management Study
12 (“DRMS”) Phase 2 Report: portions of Section Eight entitled “Building Block 1.6:
13 Armored ‘Pathway’ (Through-Delta Conveyance)” at pages 8-i through 8-13, and Tables
14 T-1 through T-4, Figure 8-1; Section Nineteen entitled “Results and Observations” at
15 pages 19-1 through 19-13 (SJRECWA-2).

16 2. The other individuals employed by the Department of Water Resources or
17 employed as consultants to the Department of Water Resources who are most
18 knowledgeable and best able to demonstrate the feasibility of the assumptions contained in
19 the modeling of both Boundary 1 and Boundary 2 utilizing the H-3 Alternatives described
20 in DWR Exhibit 515, Table 4 on page 2, and the “note” which describes the assumptions
21 incorporated in Boundary 1 and 2 that states as follows:

22 “SWRCB D-1641, pumping at the South Delta intakes are
23 preferred during July through September months up to a total
24 pumping of 3,000 cfs to minimize potential water quality
25 degradation in the South Delta channels. No specific intake is
26 assumed beyond 3,000 cfs.”

27 as well as the financial contributions to be made by the DWR, Bureau of Reclamation and
28 local Reclamation Districts that would provide reasonable assurance that this dual
29 pathway for water to reach CVP and SWP pumps would exist in the future.

30 3. That individual or individuals most knowledgeable employed by Department
31 of Water Resources or employed as consultants or independent contractors to Department

1 of Water Resources with knowledge of why the proposed WaterFix facilities, which
2 assume the availability of cross-Delta flow and through-Delta flow capacity through
3 levees and channels as described in the “note” above, does not provide for a means of the
4 Department of Water Resources and United States Department of the Interior, Bureau of
5 Reclamation, and local Reclamation Districts, of implementing the Levee Improvement
6 Projects and Levee Protection Programs described in the DRMS Phase 2 Report, or any
7 portion thereof, to assure the likelihood of the ability to maintain flows across the Delta as
8 described in DWR Exhibit 515 and models depicting Boundary 1 and Boundary 2
9 conditions.

10 NOTICE IS GIVEN that the exact appearance time of the witness(es) and their
11 examinations regarding SJRECWA Exhibits 1 and 2 will be arranged with the attorney for
12 the Department of Water Resources, James Mizell. A statement of qualification of the
13 witness(es) and their educational background should accompany their appearance.
14

15 Dated: 8/30/2016

MINASIAN, MEITH, SOARES
SEXTON & COOPER, LLP

17 By: Paul R. Minasian
18 PAUL R. MINASIAN
19 Attorney for SAN JOAQUIN RIVER EXCHANGE
20 CONTRACTORS WATER AUTHORITY
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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 Resource Control Board and caused a true and correct copy of the following document(s):

Notice to Department of Water Resources Pursuant to Government Code Section 11450.50 for DWR Witnesses to Appear at WaterFix Hearings

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 August 31, 2016, posted by the State Water Resources Control Board at:

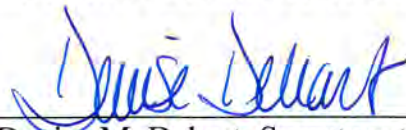
http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml

Service also perfected by placing for collection and deposit in the United States mail a copy/copies of the documents(s) at: MINASIAN, MEITH, SOARES, SEXTON & COOPER, LLP, in Oroville, Butte County, California in a sealed envelope, with postage fully prepaid, addressed to:

JAMES MIZELL
DEPARTMENT OF WATER RESOURCES
Office of the Chief Counsel
1416 Ninth Street, Room 1104
Sacramento, CA 95814

I am familiar with the practice of MINASIAN, MEITH, SOARES, SEXTON & COOPER, LLP for the collection and processing of correspondence for mailing with the United States Postal Service. In accordance with the ordinary course of business, the above-mentioned document(s) would have been deposited with the United States Postal Service on July 15, 2016, the same day on which it/they were placed at MINASIAN, MEITH, SOARES, SEXTON & COOPER, LLP for deposit.

I certify that the foregoing is true and correct and that this document was executed on August 31, 2016.



Denise M. Dehart, Secretary to Paul R. Minasian
On behalf of SAN JOAQUIN RIVER EXCHANGE
CONTRACTORS WATER AUTHORITY
Minasian, Meith, Soares, Sexton & Cooper, LLP
Post Office Box 1679 / 1681 Bird Street
Oroville, California 95965