



September 28, 2016

Via Email To:

CWFhearing@waterboards.ca.gov

Hearing Chair Tam Doduc
Hearing Officer Felicia Marcus
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Re: Submission of Exhibit List for Entry of Exhibits into Evidence

Dear Hearing Chair Doduc and Hearing Officer Marcus:

The California Department of Water Resources (DWR) submits to you its exhibit index of all exhibits requested for entry into evidence in this Part 1A of the water rights hearing for the CA WaterFix.

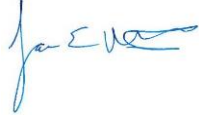
As to questions raised as to the permissibility of submitting and accepting into evidence the modeling files submitted by Petitioners on May 25, 2016, the Hearing Officers have many reasons to enter these files into evidence, not the least of which is that the results of the files were frequently the subject of the cross-examination of Petitioners' witnesses, and as such represent appropriate evidence in response to that cross-examination.

- 1) The modeling is information that was the subject of cross-examination by many parties across many panels of witnesses presented by Petitioners.
- 2) The modeling is informative to the State Water Board and their decision making.
- 3) The modeling was submitted on May 25, 2016, by request of the State Water Board, and made available to all parties through the State Water Board website and ftp site at that time, and is thus not surprise testimony.
- 4) The modeling was announced on May 16, 2016 and made available to all parties at that time, and is thus not surprise testimony.
- 5) The modeling was the subject of direct requests for information by parties now opposed to its submission.
- 6) The information is publicly available on a State website and is therefore judicially noticeable.

For purposes of organization and identification, DWR has included the modeling information on the exhibit list as DWR-500.

DWR respectfully requests accepting into evidence the exhibits listed on the attached exhibit list for purposes of DWR's case-in-chief. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tripp Mizell".

Tripp Mizell
Senior Attorney
Office of the Chief Counsel
CA Department of Water Resources

cc: Electronic Service
Tom Howard, Executive Officer, State Water Resources Control Board
Michael Lauffer, Chief Counsel, State Water Resources Control Board
Electronic service list

Personal Service via U.S. Postal Service
Suzanne Womack and Sheldon Moore
Clifton Court, L.P.
3619 Land Park Drive
Sacramento, CA 95818

DWR EXHIBIT LIST SUBMITTED FOR ENTRY INTO EVIDENCE

Exhibit Identification Number	Exhibit Description	File Name	Status of Evidence (for Hearing Team Use Only)		
			Introduced	Accepted	By Official Notice
DWR-1	Project Overview PowerPoint	dwr_1.pdf			
DWR-2	Engineering PowerPoint	dwr_2.pdf			
DWR-2A	Video: Intake Construction Animation	dwr_2a.mp4			
DWR-2B	Video: Tunnel Boring Machine Animation	dwr_2b.wmv			
DWR-2C	Video: Tunnel Segment Installation Animation	dwr_2c.wmv			
DWR-3	Water Rights PowerPoint	dwr_3.pdf			
DWR-4	Operations PowerPoint	dwr_4.pdf			
DWR-5	Modeling PowerPoint	dwr_5.pdf			
DWR-11	Statement of Qualifications- Jennifer Pierre	dwr_11.pdf			
DWR-12	Statement of Qualifications- Steve Centerwall	dwr_12.pdf			
DWR-14	Statement of Qualifications- Shanmugam Pirabarooban	dwr_14.pdf			
DWR-17	Statement of Qualifications-John Bednarski	dwr_17.pdf			
DWR-18	Statement of Qualifications- Sergio Valles	dwr_18.pdf			
DWR-19	Statement of Qualifications- Maureen Sergent	dwr_19.pdf			
DWR-20	Statement of Qualifications - Robert Cooke	dwr_20.pdf			
DWR-21	Statement of Qualifications- John Leahigh	dwr_21.pdf			
DWR-22	Statement of Qualifications- Mark Holderman	dwr_22.pdf			
DWR-24	Statement of Qualifications- Michael Anderson	dwr_24.pdf			
DWR-26	Statement of Qualifications- Parviz Nader-Tehrani	dwr_26.pdf			
DWR-27	Statement of Qualifications- Erik Reyes	dwr_27.pdf			
DWR-28	Statement of Qualifications- Tara Smith	dwr_28.pdf			
DWR-29	Statement of Qualifications- Jamie Anderson	dwr_29.pdf			
DWR-30	Statement of Qualifications- Armin Munévar	dwr_30.pdf			
DWR-32	Statement of Qualifications- Gwen Buchholz	dwr_32.pdf			
DWR-33	Statement of Qualifications- Michael Bryan	dwr_33.pdf			
DWR-51	Written Testimony- Jennifer Pierre	dwr_51.pdf			
DWR-52	Written Testimony- Steve Centerwall	dwr_52.pdf			
DWR-53	Written Testimony - Maureen Sergent	dwr_53.pdf			
DWR-54	Written Testimony- Shanmugam Pirabarooban	dwr_54.pdf			
DWR-57	Written Testimony- John Bednarski	dwr_57.pdf			
DWR-58	Written Testimony- Sergio Valles	dwr_58.pdf			
DWR-60	Written Testimony - Robert Cooke	dwr_60.pdf			
DWR-61	Written Testimony- John Leahigh	dwr_61.pdf			
DWR-62	Written Testimony- Mark Holderman	dwr_62.pdf			
DWR-64	Written Testimony- Michael Anderson	dwr_64.pdf			
DWR-66	Written Testimony - Parviz Nader-Tehrani	dwr_66.pdf			
DWR-67	Written Testimony - Erik Reyes	dwr_67.pdf			
DWR-69	Written Testimony- Jamie Anderson	dwr_69.pdf			
DWR-70	Written Testimony- Tara Smith	dwr_70.pdf			
DWR-71	Written Testimony- Armin Munévar	dwr_71.pdf			
DWR-72	Written Testimony- Gwen Buchholz	dwr_72.pdf			
DWR-73	Written Testimony- Michael Bryan	dwr_73.pdf			
DWR-103	California Fish and Game Code section 2080.1 Consistency Determination (Delta Smelt)	dwr_103.pdf			
DWR-104	California Fish and Game Code section 2080.1 Consistency Determination (Salmon)	dwr_104.pdf			
DWR-106	Blue Ribbon Task Force Delta Vision	dwr_106.pdf			
DWR-107	CALFED ROD	dwr_107.pdf			
DWR-108	Sacramento-San Joaquin Delta Reform Act of 2009	dwr_108.pdf			
DWR-109	2014 California Water Action Plan	dwr_109.pdf			
DWR-110	Map of South Delta Facilities	dwr_110.pdf			
DWR-113	April 19, 2011 letter to Gerald Meral from SWRCB	dwr_113.pdf			
DWR-114	Alternatives Comparison	dwr_114.pdf			
DWR-115	Map of Channel Margin Habitat	dwr_115.pdf			
DWR-116	Table of Operating Criteria	dwr_116.pdf			
DWR-117	Adaptive Management Framework	dwr_117.pdf			
DWR-201	5-Agency Technical Recommendations for the Location of BDCP Intakes 1-7	dwr_201.pdf			
DWR-203	Leslie Gallagher, Request for the California WaterFix Project Levee Intake Project	dwr_203.pdf			
DWR-206	CCR 23 Section 120 Levees	dwr_206.pdf			
DWR-207	Reusable Tunnel Material Testing Report	dwr_207.pdf			
DWR-209	Bureau of Reclamation Design Standards, Design Standards 13, Chapter 4, Static Stability Analysis	dwr_209.pdf			
DWR-212	Delta Habitat Conservation & Conveyance Program - Conceptual Engineering Report, Volume 1	dwr_212.pdf			
DWR-213	Delta Habitat Conservation & Conveyance Program - Conceptual Engineering Report, Volume 1, Figure 1	dwr_213.pdf			

DWR EXHIBIT LIST SUBMITTED FOR ENTRY INTO EVIDENCE

DWR-214	Delta Habitat Conservation & Conveyance Program - Conceptual Engineering Report, Volume 1, Figure 2	dwr_214.pdf			
DWR-215	Delta Habitat Conservation & Conveyance Program - Conceptual Engineering Report, Volume 1, Figure 3	dwr_215.pdf			
DWR-216	Delta Habitat Conservation & Conveyance Program - Conceptual Engineering Report, Volume 1, Figure 4	dwr_216.pdf			
DWR-217	Delta Habitat Conservation & Conveyance Program - Conceptual Engineering Report, Volume 1, Figure 5	dwr_217.pdf			
DWR-218	G. Buchholz Memo Groundwater Impact Analysis	dwr_218.pdf			
DWR-219	Fish Facilities Team Technical Memo July 15, 2011	dwr_219.pdf			
DWR-220	California WaterFix Refinements	dwr_220.pdf			
DWR-221	Table 1- Existing Water Diversions at the Proposed CWF Intake Sites	dwr_221.pdf			
DWR-301	Delta Atlas, 1995	dwr_301.pdf			
DWR-302	1964-05-04 Byron-Bethany Irrigation District Settlement Agreement	dwr_302.pdf			
DWR-303	Contra Costa Water District Agreement, 1967-04-21	dwr_303.pdf			
DWR-304	City of Antioch Agreement 1968-04-11	dwr_304.pdf			
DWR-305	East Contra Costa Irrigation District Settlement Agreement 1981-01-07	dwr_305.pdf			
DWR-306	Original North Delta Water Agency Agreement, 1981-01-28	dwr_306.pdf			
DWR-307	DFG-DWR Feather River Agreement, 1983	dwr_307.pdf			
DWR-308	North Delta Water Agency Memorandum of Understanding, 1998-05-26	dwr_308.pdf			
DWR-309	SWPAO BBID Diversion Agreement, 2003-05-28	dwr_309.pdf			
DWR-310	City of Antioch Amendment, 2013-10-29	dwr_310.pdf			
DWR-311	Memorandum from Bob Suits to Paul Hutton	dwr_311.pdf			
DWR-312	California Water Plan, Bulletin No. 3, May 1957	dwr_312.pdf			
DWR-313	DWR Petition for Extension of Time, 2009-12-31	dwr_313.pdf			
DWR-314	Amendment No. 1 to the Agreement on Diversion of Water from the Feather River, 1991-01-25	dwr_314.pdf			
DWR-315	Amendment No. 2 to the Agreement on Diversion of Water from the Feather River	dwr_315.pdf			
DWR-316	Salinity Unit Conversion Equations, from Kamyar Guivetchi	dwr_316.pdf			
DWR-318	Plumas Mutual Water Company Agreement, 1971-05-28	dwr_318.pdf			
DWR-319	SWP Place of Use Sheet 2	dwr_319.pdf			
DWR-320	SWP Place of Use Sheet 3	dwr_320.pdf			
DWR-321	Tudor Mutual Water Company Agreement, 1976-03-25	dwr_321.pdf			
DWR-322	Water Supervisor's Report, 1931	dwr_322.pdf			
DWR-323	Western Canal Water District Agreement, 1986-01-17	dwr_323.pdf			
DWR-324	CWF Petition Information for Regulation	dwr_324.pdf			
DWR-325	Oswald WD, Jan 12 1970	dwr_325.pdf			
DWR-326	Garden Highway Mutual WC May 17 1977	dwr_326.pdf			
DWR-327	1991-04-11 DWR-ECCID-CCWD	dwr_327.pdf			
DWR-328	2000-02-16 ECCID-CCWD Amendment 1	dwr_328.pdf			
DWR-329	Joint Water Districts Board May 27 1969	dwr_329.pdf			
DWR-330	SWP Feather River/Delta Water Rights Table	dwr_330.pdf			
DWR-331	Map Cal WaterFix Facilities	dwr_331.pdf			
DWR-334	2016 CCWD Agreement	dwr_334.pdf			
DWR-401	Bay-Delta Compliance Metrics D-1485	dwr_401.pdf			
DWR-402	Bay-Delta Compliance Metrics D-1641	dwr_402.pdf			
DWR-403	Compliance Analysis: Jersey Point-Emmaton-Contra Costa Canal	dwr_403.pdf			
DWR-404	D-1641 Standards (Figure 1)	dwr_404.pdf			
DWR-405	D-1641 Bay Delta Standards Locations (Figure 2)	dwr_405.pdf			
DWR-406	Statewide 4 Year Precipitation Sums (Figure 3)	dwr_406.pdf			
DWR-407	Sacramento Valley Calendar Year Data (1895-2015) (Figure 4)	dwr_407.pdf			
DWR-408	Sierra Snowpack v. Winter Temperature (1950-2015) (Figure 5)	dwr_408.pdf			
DWR-409	Eight River 4 Year Average Water Year Runoff (1909-2015) (Figure 6)	dwr_409.pdf			
DWR-410	Eight River 3 Year Average April-July Runoff (1909-2015) (Figure 7)	dwr_410.pdf			
DWR-411	Conceptual CWF Operation (12/1/15 - 4/30/16)	dwr_411.pdf			
DWR-412	Daily Average EC at Bacon Island (12/1/15 - 4/30/16)	dwr_412.pdf			
DWR-413	South Delta Compliance	dwr_413.pdf			
DWR-500	<i>May 25, 2016 Petitioners' letter "Physical Modeling to Support CWF Water Right Petition" and modeling file attachments for Alternatives H3, H4, Boundary 1, Boundary 2, No Action with Fall X2-CalSim, and No Action with Fall X2-DSM2</i>				
DWR-505	CalSim II Simulation of Historical SWP-CVP Operations Technical Memorandum Report, 2003	dwr_505.pdf			
DWR-507	CalSim II San Joaquin River Peer Review Response, 2007	dwr_507.pdf			
DWR-509	CCWD Conversions Between EC, TDS, Chloride, Bromide, and Sodium, 1997	dwr_509.pdf			
DWR-510	Draft Delta Drought Emergency Barriers, 2009	dwr_510.pdf			
DWR-511	Memo to C. Crothers Re CalSim II 82vs16 years	dwr_511.pdf			
DWR-512	Technical Memo Re CCWD Agreement	dwr_512.pdf			
DWR-513	DSM2 Modeling Results	dwr_513.pdf			
DWR-514	CalSim II Modeling Results	dwr_514.pdf			
DWR-515	Modeling Assumptions Table	dwr_515.pdf			

DWR EXHIBIT LIST SUBMITTED FOR ENTRY INTO EVIDENCE

SWRCB - 1	Department of Water Resources' (DWR) and United States Bureau of Reclamation's (Reclamation) August 25, 2015 (Submitted August 26, 2015) Joint Change Petition for California WaterFix Program				
SWRCB - 2	DWR and Reclamation's September 11, 2015 (Submitted September 16) Joint Change Petition Addendum and Errata				
SWRCB - 3	2015 Public Draft Bay Delta Conservation Plan/California WaterFix Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS) and Comments				
SWRCB - 4	2013 Public Draft Environmental Impact Report/Environmental Impact Statement Bay Delta Conservation Plan				
SWRCB - 5	2013 Public Draft Bay Delta Conservation Plan.				
SWRCB - 6	State Water Resources Control Board (SWRCB) Water Right Permit 16478 (Application 5630) – DWR				
SWRCB - 7	SWRCB. Water Right Permit 16479 (Application 14443) – DWR				
SWRCB - 8	SWRCB. Water Right Permit 16481 (Application 14445A) – DWR				
SWRCB - 9	SWRCB. Water Right Permit 16482 (Application 17512) – DWR				
SWRCB - 21	SWRCB. Revised Water Right Decision 1641: In the Matter of: Implementation of Water Quality Objectives for the San Francisco Bay/Sacramento-San Joaquin Delta; a Petition to Change the Point of Diversion of the CVP and SWP in the Southern Delta, and; a Petition to Change Places of Use and Purposes of Use of the CVP, March 15, 2000				
SWRCB - 23	SWRCB. Water Right Decision 1485: In the Matter of Permit 12720 (Application 5625) and Other Permits of Reclamation for the CVP and of DWR for the SWP, August 16, 1978				
SWRCB - 27	SWRCB. 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. December 13, 2006. Appendix 1 – Plan Amendment Report; Appendix 2 – Referenced Documents; Appendix 3 – Response to Comments				
SWRCB - 30	SWRCB. Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, May 1995.				
SWRCB - 65	California Department of Fish and Game (DFG) Longfin Smelt. California Endangered Species Act Incidental Take Permit No. 2081-2009-001-03. Department of Water Resources. California State Water Project Delta Facilities and Operations. 2009.				
SWRCB - 83	NMFS. Biological and Conference Opinion on the Long-Term Operations of the Central Valley Project (CVP) and State Water Project. April 7, 2011.				
SWRCB - 84	NMFS. Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project. June 4, 2009.				
SWRCB - 87	USFWS. Formal Endangered Species Act Consultation on the Proposed Coordinated Operations of the Central Valley Project (CVP) and State Water Project (SWP). December 15, 2008.				

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):

Entry of Exhibits for Evidence

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 September 20, 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:

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:
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	Method of Service: <u>U.S. Postal</u>
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I certify that the foregoing is true and correct and that this document was executed on September 28, 2016

Date

Signature: _____



Name: Valentina German

Title: Legal Analyst

Party/Affiliation: DWR

Address: 1416 Ninth Street 1104

Sacramento, CA 95814