
From: Denise Dehart <ddehart@minasianlaw.com>
Sent: Friday, March 03, 2017 11:46 AM
To: CWFhearing; Marcus, Felicia@Waterboards; Doduc, Tam@Waterboards; Mizell, James@DWR; parroyave@usbr.gov; amy.aufdemberge@sol.doi.gov; spencer.kenner@waterboards.ca.gov; abl@bkslawfirm.com; aferguson@somachlaw.com; ahitchings@somachlaw.com; ajr@bkslawfirm.com; amy.aufdemberge@sol.doi.gov; apeltzer@prlawcorp.com; awaren@nrdc.org; barbara@restoredelta.org; barbarav@aqualliance.net; barry@solagra.com; bdalymns@citlink.net; bjohnson@tu.org; blancapaloma@msn.com; bobker@bay.org; bradpappa@gmail.com; brettgbaker@gmail.com; bwright@friendsoftheriver.org; Wilcox, Carl@Wildlife; caroleekrieger7@gmail.com; colin@ejcw.org; connere@gmail.com; CWFhearing; daladjem@downeybrand.com; daniel@kaydix.com; Dustin Cooper; dcoty@bpmnj.com; ddj@cah2oresearch.com; dean@hprlaw.net; deltakeep@me.com; dkelly@pcwa.net; dgarrett@volkerlaw.com; dobegi@nrdc.org; dohanlon@kmtg.com; dorth@davidorthconsulting.com; empappa@gmail.com; evielma@cafecoop.org; Emily LaMoe; fetherid@ebmud.com; fmorrissey@orangecoveid.org; friendsofsfestuary@gmail.com; gadams@fclaw.com; info@californiadelta.org; Mizell, James@DWR; jailin@awattorneys.com; jtb@bkslawfirm.com; jconway@rd800.org; jfox@awattorneys.com; jennifer@spalettalaw.com; Herrick, John @aol.com; Minton, Jonas; john.luebberke@stocktonca.gov; Rubin, Jon@sldmwa.org; jph@tulareid.org; jrobinson@cityofsacramento.org; jsagwomack@gmail.com; jsalmon@ebmud.com; jvolker@volkerlaw.com; kcorby@somachlaw.com; kelweg1@aol.com; kharrigfeld@herumcrabtree.com; kobrien@downeybrand.com; kpoole@nrdc.org; ktaber@somachlaw.com; kyle.jones@sierraclub.org; lcaster@fclaw.com; matlas@jmatlaslaw.com; matthew@mlelaw.com; mbently@countyofcolusa.org; melissa.poole@wonderful.com; mhagman@lindmoreid.com; michael@brodskylaw.net; mjatty@sbcglobal.net; mkropf@countyofcolusa.com; mlarsen@kdwcd.com; mnikkel@downeybrand.com; Van Zandt, Michael@hansonbridgett.com; myoung@awattorneys.com; ncardella@prlawcorp.com; office@ecosacramento.net; Meserve, Osha@semlawyers.com; Pogledich, Philip@yolocounty; Paul Minasian; pp@planetarysolutionaries.org; Miljanich, Peter@solanocounty; psimmons@somachlaw.com; pwilliams@westlandswater.org; Akroyd, Rebecca@KMTG; randy@ejcw.org; rbernal@ci.antioch.ca.us; rmaddow@bpmnj.com; rdenton06@comcast.net; rmburness@comcast.net; roland@ssjmud.org; rsb@bkslawfirm.com; russell@spalettalaw.com; Hernandez, Ryan@dcd; rzwillinger@defenders.org; sae16@lsid.org; schaffin@awattorneys.com; sdalke@kern-tulare.com; sgeivet@ocsnet.net; smorris@swc.org; Sophie.Froelich@Roll.com; sonstot@awattorneys.com; srothert@americanrivers.org; ssaxton@downeybrand.com; ssdwaterfix@somachlaw.com; stephen.siptroth@cc.ccccounty.us; sunshine@snugharbor.net; svolker@volkerlaw.com; sgrady@eslawfirm.com; red@eslawfirm.com; tara.mazzanti@stocktonca.gov; tgohring@waterforum.org; thomas.esqueda@fresno.gov; tim@restoredelta.org; tkeeling@freemanfirm.com; trobancho@freemanfirm.com; torr@earthjustice.org; towater@olaughlinparis.com; vkinaid@olaughlinparis.com; wes.miliband@stoel.com; Femlen, William@solanocounty.com; wirthsoscranes@yahoo.com; ygarcia@earthjustice.org; estherschwartz@msn.com; Paul Minasian; Anna Whitfield; Leah Janowski; schedester@sjrecwa.net; chase@hmr.net; Bryant_jeff@sbcglobal.net; cwhite@ccidwater.org; rghccc@sbcglobal.net; jwhite@sjrecwa.net
Cc:
Subject: WaterFix - Depositions

Attachments:

WaterFix, Marcus, Doduc, Kenner, Mizell, Arroyave, Aufdemberge.3.3.17.pdf; WaterFix-Notice of Deposition of DWR Witnesses.3.2.17.pdf; WaterFix Statement of Service 3-3-17.pdf

Ladies and Gentlemen:

Attached is the San Joaquin River Exchange Contractors Water Authority's Notice of Deposition in the WaterFix proceeding of the persons most knowledgeable at the Department of Water Resources regarding issues related to levee maintenance and funding of levee repairs after failure.

In a rather unusual set of events, the SWRCB has ruled (and we are seeking reconsideration of that ruling) that SJRECWA may not examine the head of DWR's Levee Protection and Improvement Projects and/or the most knowledgeable persons in regard to the reasonable arrangements that would be required for levee improvement and protection (and repair, if breaches occur) to maintain a dual delivery system in Part 1(b). As you know, the feasibility, economic program and contributions required to implement and assure that 3,000 cfs could be conveyed across the Delta to the Delta pumps and pumped after the installation of the Tunnels during July through September of each year as a "second" or "Dual Path" has not been testified to by DWR or its consultants.

You will also find attached a copy of a Memorandum filed with the SWRCB which describes the procedural situation giving rise to the need to notice such depositions before DWR and the Bureau of Reclamation provide for the written testimony to be presented in Rebuttal on March 17. We are of course, unsure if the State Board, the DWR, or another party will move to quash the deposition or if the SWRCB will recognize our concerns in another manner. We will keep you aware of developments.

The attached Notice of Deposition indicates the time and place the deposition is to be conducted. You and your clients may have questions of the witnesses. If you can give us notice of your intention to ask those questions directly, we can make arrangements to hold the deposition in a large auditorium setting and establish a logical order for those questions.

If it would be more convenient to you, you may wish to provide a list of questions in writing, and we will be happy to ask those questions on your behalf (if not covered by another party's examination) and attribute the questions to you and your client upon the record.

/s/ Paul R. Minasian, Attorney for San Joaquin River Exchange Contractors Water Authority

cc: Capitol Reporters

Denise M. Dehart

Secretary to Paul R. Minasian, Esq.

Minasian, Meith, Soares, Sexton & Cooper, LLP

P O Box 1679 / 1681 Bird Street, Oroville, California 95965

(530) 533-2885 / facsimile (530) 533-0197

The information contained in this electronic mail transmission is confidential and intended to be sent only to the stated recipient of the transmission. It may therefore be protected from unauthorized use or dissemination by the attorney-client and/or attorney work product privileges. If you are not the intended recipient or the intended recipient's agent, you are hereby notified that any review, use, dissemination, distribution or copying of this communication is strictly prohibited. You are also asked to notify us immediately by telephone and to return the document to us immediately via e-mail at the address shown above. Thank you.

1 PAUL R. MINASIAN (SBN 040692)
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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 OF**
13 **WATER RESOURCES AND UNITED**) **DEPOSITION OF DAVID MRAZ**
14 **STATES BUREAU OF**) **AND/OR OTHER MOST**
15 **RECLAMATION'S REQUEST FOR A**) **KNOWLEDGEABLE WITNESSES**
16 **CHANGE IN POINT OF DIVERSION**) **TO APPEAR AT DEPOSITION**
17 **FOR CALIFORNIA WATER FIX**) **PURSUANT TO GOVERNMENT**
18) **CODE SECTION 11450.10 AND**
19) **WATER CODE SECTION 1100**

20 TO: THE STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES,
21 AND JAMES MIZELL, its attorney:

22 NOTICE IS HEREBY GIVEN to the Department of Water Resources, by and
23 through its attorneys, James Mizell, JamesMizell@water.ca.gov, that pursuant to Water
24 Code Section 1100 and Government Code Section 11450.10, the San Joaquin River
25 Exchange Contractors Water Authority, by and through its attorneys of record, Paul R.
26 Minasian of Minasian, Meith, Soares, Sexton & Cooper, LLP,
27 pminasian@minasianlaw.com, requests and demands that the Department of Water
28 Resources produce the below-described witnesses for their deposition(s) on March 20,
2017 commencing at 9:00 a.m., and continuing with reasonable breaks until completed, at
the offices of Capitol Reporters located at 2386 Fair Oaks Boulevard, Sacramento,
California 95825, (916) 923-5447.

1 Notice is given that the place of deposition may change based on anticipated
2 attendance numbers. Notice will be provided of such a change by subsequent service via
3 email transmission to the parties. The deposition will be videotaped.

4 Notice is also given that the Department of Water Resources is provided the
5 reasonable discretion to specify the most knowledgeable witnesses to be presented if
6 persons other than David Mraz are most knowledgeable. First among the witnesses
7 should be:

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

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

15 2. If David Mraz is not the most knowledgeable person on the following
16 subjects, the other individual or individuals employed by the Department of Water
17 Resources who are most knowledgeable and best able to testify shall appear. That person
18 shall be able to testify regarding the range of financial costs and organizational measures
19 that would be reasonably required to assure that levees necessary and essential to maintain
20 the cross-Delta flow path and to maintain reasonable salinity levels and organic carbon
21 content of water to be pumped at the SWP and Developer Delta pumps reasonably
22 required to assure the feasibility of the assumptions contained in the modeling of both
23 Boundary 1 and Boundary 2 utilizing the H-3 Alternatives described in DWR Exhibit 515,
24 Table 4 on page 2 (attached hereto), and the “note” which describes the assumptions
25 incorporated in Boundary 1 and 2 regarding cross-Delta flows through the system of
26 levees that states as follows, should appear for deposition:

27 “SWRCB D-1641, pumping at the South Delta intakes are
28 preferred during July through September months up to a total
pumping of 3,000 cfs to minimize potential water quality
degradation in the South Delta channels. No specific intake is

1 assumed beyond 3,000 cfs.”

2 The witnesses should be prepared to testify as to the amounts of monies and organization
3 of financial contributions reasonably required to be made by the DWR, Bureau of
4 Reclamation and local Reclamation Districts which would provide reasonable assurance
5 that this “second” or “dual pathway” for water to reach CVP and SWP pumps during at
6 least the July through October period would reliably exist in the future.

7 3. That individual or individuals most knowledgeable employed by Department
8 of Water Resources with knowledge of why the proposed plan of operation for the
9 WaterFix facilities, which assumes the availability of cross-Delta flow and through-Delta
10 flow capacity through levees and channels as described in the “note” above quoted in DWR
11 Exhibit 515, does not provide for a means of the Department of Water Resources and
12 United States Department of the Interior, Bureau of Reclamation, and local Reclamation
13 Districts, of implementing the Levee Improvement Projects and Levee Protection Programs
14 described in the DRMS Phase 2 Report, or any portion thereof, to assure the likelihood of
15 the ability to maintain flows across the Delta as described in DWR Exhibit 515 and models
16 depicting Boundary 1 and Boundary 2 conditions.

17 4. That individual or individuals most knowledgeable employed by the
18 Department of Water Resources who can testify to the operations plan for the Tunnels as
19 proposed in the WaterFix Petition for Change under conditions in which:

20 (A) Organic carbon discharges from failed levees and islands in the vicinity
21 of the SWP and CVP pumps exceed the capacity to treat to levels acceptable for human
22 consumption, according to EPA Drinking Water Standards; and/or,

23 (B) Salinity above 3.00 E.C. prevails at the intakes of the SWP and CVP
24 pumps because of levee breaches and failure to close the breaches; and/or,

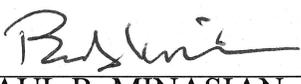
25 (C) A number of levees have collapsed in a range of 10 to 20 and it is
26 projected that the levees will not be substantially repaired for in excess of three (3)
27 irrigation seasons; and/or,

28 (D) The estimated amount of funds to repair 10 to 20 almost simultaneous

1 levee breaches or collapses caused by a flood or earthquake, the current availability of that
2 funding mechanism in 2017, and the availability of that funding proposed to exist when the
3 Tunnels are in operation.

4 Dated: March 2, 2017

MINASIAN, MEITH, SOARES
SEXTON & COOPER, LLP:

5
6 By: 
7 _____
8 PAUL R. MINASIAN
9 Attorney for SAN JOAQUIN RIVER EXCHANGE
10 CONTRACTORS WATER AUTHORITY
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	No Action Alternative (NAA)	H3	H4	Boundary 1	Boundary 2
South Delta Export Restrictions					
South Delta exports (Jones PP and Banks PP)	SWRCB D-1641. Vernalis flow-based export limits Apr 1 – May 31 as required by NMFS BiOp (Jun, 2009) Action IV.2.1 (additional 500 cfs allowed for Jul – Sep for reducing impact on SWP)	SWRCB D-1641. Pumping at the south Delta intakes are preferred during the July through September months up to a total pumping of 3,000 cfs to minimize potential water quality degradation in the south Delta channels. No specific intake preference is assumed beyond 3,000 cfs.	Same as H3	Same as H3	Same as H3
Combined Flow in Old and Middle River (OMR)	FWS BiOp (Dec 2008) Actions 1 through 3 and NMFS BiOp (Jun 2009) Action IV.2.3	New OMR criteria in Table 3 below or same as the NAA, whichever results in less negative OMR flows	Same as H3	Same as NAA	New OMR criteria in Table 5 below or same as the NAA, whichever results in less negative OMR flows
Head of Old River Barrier/Gate	Head of Old River Barrier (HORB) is only installed in the fall months per FWS Delta Smelt BiOp Action 5; it is assumed to be not installed in April or May.	HOR gate operations assumptions (% OPEN) Oct 50%, Nov 100%, Dec 100%, Jan 50%, Feb - Jun 15th 50%, Jun 16-30 100%, Jul - Sep 100%; HOR gate will be open 100% whenever flows are greater than 10,000 cfs at Vernalis.; Oct-Nov: Before the D-1641 pulse = HOR gate open, During the D-1641 pulse = for 2 weeks HOR gate closed; After D-1641 pulse: HORB open 50% for 2 weeks	Same as H3	Same as NAA	HOR gate operations assumptions (% OPEN) Oct - Dec 100%, Jan - Feb 50%, Mar - Jun 0%, Jul - Sep 100%; HOR gate will be open 100% whenever flows are greater than 10,000 cfs at Vernalis.; Oct-Nov: Before the D-1641 pulse = HOR gate open, During the D-1641 pulse = for 2 weeks HOR gate closed; After D-1641 pulse: HORB open 50% for 2 weeks
Delta Outflow Requirements					
Delta Outflow Index (Flow and Salinity)	SWRCB D-1641 and USFWS BiOp (Dec 2008) Action 4 (Fall X2 Requirement)	Same as NAA	Same as NAA; In addition, enhanced spring Delta outflow required during the Mar-May period. Mar-May average outflow requirement is determined based on 90% forecast of Mar-May Eight River Index (8RI). For modeling purposes the Mar-May 8RI was forecasted based on a correlation between the Jan-Feb 8RI and Mar-May 8RI at ELT. Each year in March,	SWRCB D-1641	Same as NAA; In addition, year-round Delta outflow goals (see Table 8 below); outflow above existing requirements, attempted to achieve through Delta export curtailments by an amount needed to meet the outflow goal, such that minimum exports are greater of 1500 cfs or to meet CVP San

**MINASIAN, MEITH,
SOARES, SEXTON &
COOPER, LLP**

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March 3, 2017

Via email transmission:

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Re: WaterFix: Proposed Testimony and its relevancy regarding proposed maintenance of through-Delta flow capacity as proposed in DWR Exhibit 515; financial arrangements for levee maintenance and repair of failed levees pursuant to DRMS Reports I and II

Ladies and Gentlemen:

We have now received the notice that the Department of Water Resources and Bureau of Reclamation are to present on or before March 17, 2016 the testimony to be offered by them in rebuttal to the evidence presented in Phase I(b). This is an opportune

To: Felicia Marcus, Spencer Kenner, James Mizell, Pablo Arroyave and Amy Aufdemberge
Re: WaterFix, Proposed Testimony of DWR Personnel
Date: March 3, 2017

Page 2

time to avoid fundamental errors and insufficiencies in the WaterFix Administrative Record. That is the purpose for this letter.

We believe the Record is less than clear as to why the SWRCB believes it is irrelevant and evidence should be excluded as to (1) whether the “second path” conveyance of water through the Delta (3,000 cfs or more July through September) as proposed for coordinated operation of the Tunnels has been or can be financially assured; and (2) is irrelevant in determining how the Tunnels will function if because of failure to or delay in repairing failed levees water quality does not permit the “second path” deliveries to occur, as outlined in DWR Exhibit 515.

Because the Board has not by its orders ruled that the sample questions sent to DWR are each irrelevant and has not ruled on the Motion for Reconsideration for the SJRECWA or barred the taking of depositions of the same DWR witnesses, and that testimony and responses could then individually be presented and ruled on as relevant or irrelevant, the Administrative Record can be made clearer on the SWRCB’s position. Further, before DWR and Reclamation presents rebuttals, those parties should know what to respond to.

The presentations through depositions of the most knowledgeable persons employed by DWR and inclusion of this information in the record (which SJRECWA believes the Tunnel Project proponents should fairly respond to) questioning whether there is a necessity of a financial plan to remedy defects in certain Delta levees and to fund the repair of anticipated failures of those levees as outlined in DRMS I in order to allow the “two path delivery” methods proposed by the DWR/Bureau Petition for Change is a fundamental part of the WaterFix proposed changes. The Board may be able to rule on the motion for reconsideration of the SJRECWA in light of this new procedural problem prior to March 17 or it may be that DWR will again attempt to quash the taking of the noticed Depositions, but the record will be clearer than it is currently.

I. What is the San Joaquin River Exchange Contractors Water Authority asking for?

Attached is a Notice of Deposition of the most knowledgeable persons of DWR who can testify to the financial and physical programs and measures that would have to be mounted and organized in order to allow the proposed WaterFix Tunnels operations as currently proposed to be reliable:

(1) Together with local interests, provide for upgrading of levees or prompt funding of repair of damaged levees to reinstate cross-Delta flows to provide the

reasonable ability to actually perform the “second path” delivery of water through Delta flows. Preventing levee failures or funding repairs when breaches occur, which would impair water quality through salinity intrusion and organic carbon discharges to the extent that the CVP and SWP pump operations would be undependable, should be understood as part of the plan. DWR making objections without the questions even being asked on the record leaves an impression that the “second” or “Dual Path” will be ended rapidly if levee breaches such as those predicted in DRMS I occur, and if those breaches do occur, what is the plan then?

(2) Those DWR persons will testify that if the Tunnels are constructed and operable and no sufficient financial program exists for maintenance or repair of levees is implemented by DWR and Reclamation, how the Tunnels will be operated if the “second path” is not available in perpetuity or for long periods of time due to lack of repairs.

The Deposition(s) can be conducted, all parties to the WaterFix proceedings can question the witnesses, the depositions can be submitted in the record as if presented in Phase 1(B) by SJRECWA, and DWR’s relevancy objection to actual presented testimony may then be ruled upon. The proponents of the Change Petition can explain on the record who will be served water through the Tunnels if the levees that protect “second path” water quality do not get repaired. DWR and Reclamation can also gauge their Rebuttal Testimony to include their response to the Deposition(s) if the contents are ruled as relevant. Even better, DWR and Reclamation can participate in the questioning and record preparation at the Deposition(s).

II. Hasn’t the SWRCB already ruled on this matter? The SWRCB has requested that objections not be repeated. Why is this different?

The SWRCB had no question or concern regarding relevancy and saw the relevancy in its October 7, 2016 ruling permitting the testimony. The SWRCB stated on Page 8 (October 7, 2016):

“In its amended NOI, DWR witnesses are listed to testify on ‘DWR plan and financing plan to maintain Channels and Levees to support 3,000 cfs or mor(v)e cross Delta flow to CVP/SWP pumps as assumed in DWR Exhibit 515 page 2.’ This revision falls within the scope of the proposed testimony of Christopher H Neudeck.”

Obviously, if the proposed testimony about the measures required to implement that part of the plan of DWR and Reclamation had been irrelevant, the Board ruling

would have rejected the subject and proposed testimony. Hopefully, without repetitively arguing the point and irritating Board Members and unreasonably consuming time, DWR Exhibit 515 assumes that levee integrity in the Delta will permit that “dual or second path” method of conveyance both quantitatively and from a water quality perspective and no modeling explains what will be done and who will suffer harm if adequate financing to repair levees when they fail is presented and the Tunnels available for use.

The second distinction from a situation in which arguments are being rehashed by Protestants before the Board arises from the fact that there is a Motion for Reconsideration filed December 23, 2016 by the SJRECWA which has not been ruled upon. In the Board’s ruling on other Parties evidentiary objections on February 21, 2017, the Board states on Page 33 regarding the SJRECWA issues:

“... SJRECWA’s Petition for Reconsideration of our ruling on DWR and Motion remains pending.”

The Board concludes in its December 8, 2016 ruling on the Motion to Quash filed by DWR after the October 7, 2016 ruling (actually, the frowned upon re-arguing of the initial ruling by DWR of the SWRCB’s ruling in favor of SJRECWA’s ability to offer the testimony) cited to a selection of proposed questions to DWR witnesses:

“Based upon the more detailed prospective questions provided to the DWR, however, it has become clear that the issues that SJRECWA seeks to explore do not concern the potential impacts of the proposed changes. Instead SJRECWA seeks to present testimony concerning the need for funding for levee maintenance and repair in order to maintain the Petitioners existing ability to convey water through the Delta. This is an issue that will exist regardless of whether the WaterFix Change petition is approved.”
(Page 3 December 8, 2016 ruling.)

The proposed questions were not ordered by the Hearing Officers to be included in the Administrative Record, as if asked to a DWR witness and then objected to by DWR or by the Board staff itself, and no ruling was included in the record. It has become clear that if the Rebuttal phase proceeds without the testimony that would be given by DWR witnesses subpoenaed, the record will never reflect why the SWRCB finds it irrelevant to understand whether the Change of Point of Diversion Plan submitted should be conditionally approved only if measures are taken to provide the financial resources to in fact continue the “second path” deliveries to the pumping plants.

IV. What do we propose?

Attached is a Notice of Deposition that has been served on DWR and all other parties for the most knowledgeable DWR witnesses on the subject of feasibility and the need for financial and operational assurances. In order to have a complete record of the efforts made if some judicial review is eventually required, the Deposition transcript, if the Board does not quash the SJRECWA Deposition Notice, will presumably set forth what estimated financial measures and arrangements the proponents of construction of the tunnels would be required to participate in to assure that the modeling actually presented in DWR Exhibit 515 is feasible and likely to occur.

The Deposition transcript, if allowed to move forward and not quashed, can then be submitted into the record and perhaps an answer provided to the questions:

1. Without assured financing of repair and reconstruction, will the Delta levees and the “second path” be abandoned?
2. Will the proponents of the Tunnels utilize and have available the Tunnel capacity to deliver the additional 180,000 ac/ft per month x 3 months because the “second path” cannot exist?
3. How will the Tunnels be utilized and what will be the impact on legal users of water in those circumstances?
4. Will certain users or uses be provided priority in availability of capacities?

Because of recent events and harm to water facilities, maintenance of SWP project features is heightened in the consciousness of all California residents. A Court may ask to know, specifically, what evidence was irrelevant. Let’s cooperate to answer that inquiry.

Very truly yours,

MINASIAN, MEITH, SOARES,
SEXTON & COOPER, LLP

By: /s/ Paul R. Minasian
PAUL R. MINASIAN, ESQ.

PRM:lmj/dd
Attachments

cc: Steve Chedester, Executive Director, San Joaquin River Exchange Contractors Water Authority&Managers
WaterFix Service List

SJRECWaterFix,Marcus,Doduc,Kenner,Mizell,Arroyave,Aufdemberge.3.3.17.wpd

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, March 3, 2017, 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 OF DEPOSITION OF DAVID MRAZ AND/OR OTHER MOST KNOWLEDGEABLE WITNESSES TO APPEAR AT DEPOSITION PURSUANT TO GOVERNMENT CODE SECTION 11450.10 AND WATER CODE SECTION 1100

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 March 3, 2017, posted by the State Water Resources Control Board at: /waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml

Service was 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 March 3, 2017, 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 March 3, 2017.

/s/ Denise M. Dehart
Denise M. Dehart, Secretary to Paul R. Minasian
On behalf of SAN JOAQUIN RIVER EXCHANGE
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