
From: Randhawa, Baljit@DWR <Baljit.Randhawa@water.ca.gov>
Sent: Monday, August 13, 2018 8:16 AM
To: CWFhearing; Doduc, Tam@Waterboards; Marcus, Felicia@Waterboards
Cc: abl@bkslawfirm.com; aerguson@somachlaw.com; ahitchings@somachlaw.com; ajr@bkslawfirm.com; akrieg@volkerlaw.com; amy.aufdemberge@sol.doi.gov; apeltzer@prlawcorp.com; awarn@nrdc.org; barbara@restoredelta.org; barbarav@aqualliance.net; barry@solagra.com; bdalymns@citlink.net; bjohnson@tu.org; blancapaloma@msn.com; bobker@bay.org; bpoulsen@eid.org; bradpappa@gmail.com; brettgbaker@gmail.com; burkew@saccounty.net; bwright@friendsoftheriver.org; caroleekrieger7@gmail.com; colin@ejcw.org; connere@gmail.com; CWFhearing; daladjem@downeybrand.com; daniel@kaydix.com; dcooper@minasianlaw.com; dcoty@bpmnj.com; ddj@cah2oresearch.com; dean@hprlaw.net; deltakeep@me.com; dkelly@pcwa.net; dmwolk@solanocounty.com; dobegi@nrdc.org; dohanlon@kmtg.com; dorth@davidorthconsulting.com; empappa@gmail.com; evielma@cafecoop.org; ewehr@gwdwater.org; elamoe@minasianlaw.com; fetherid@ebmud.com; fmorrissey@orangecoveid.org; gadams@fclaw.com; hwalter@kmtg.com; info@californiadelta.org; Mizell, James@DWR; jailin@awattorneys.com; jtb@bkslawfirm.com; jconway@rd800.org; jfox@awattorneys.com; jennifer@spalettalaw.com; jherrlaw@aol.com; jminasian@minasianlaw.com; jminton@pcl.org; john.luebberke@stocktonca.gov; jph@tulareid.org; jrubin@westlandswater.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; kurtis.keller@cc.cccounty.us; kyle.jones@sierraclub.org; lcaster@fclaw.com; mae@semlawyers.com; matlas@downeybrand.com; matthew@mlelaw.com; melissa.poole@wonderful.com; mghafar@earthjustice.org; mhagman@lindmoreid.com; michael@brodskylaw.net; mjatty@sbcglobal.net; mkropf@countyofcolusa.com; mlarsen@kdwcd.com; mnikkel@downeybrand.com; mvanzandt@hansonbridgett.com; mvoss@cityofsacramento.org; myoung@awattorneys.com; nick@semlawyers.com; nrobertson@earthjustice.org; office@ecosacramento.net; osha@semlawyers.com; philip.pogledich@yolocounty.org; pkf@bkslawfirm.com; pminasian@minasianlaw.com; pp@planetarysolutionaries.org; psimmons@somachlaw.com; pwilliams@westlandswater.org; rharms@kmtg.com; rebecca.akroyd@sldmwa.org; rbernal@ci.antioch.ca.us; rmaddow@bpmnj.com; rdenton06@comcast.net; rmburness@comcast.net; roland@ssjmud.org; rsb@bkslawfirm.com; rsmith@downeybrand.com; russell@spalettalaw.com; ryan.hernandez@dcd.cccounty.us; rzwilling@defenders.org; sae16@lsid.org; schaffin@awattorneys.com; sclarke@volkerlaw.com; sdalke@kern-tulare.com; sgeivet@ocsnet.net; smorris@swc.org; sonstot@awattorneys.com; srothert@americanrivers.org; ssaxton@downeybrand.com; ssdwaterfix@somachlaw.com; stephen.siptroth@cc.cccounty.us; sunshine@snugharbor.net; svolker@volkerlaw.com; sgrady@eslawfirm.com; red@eslawfirm.com; tara.mazzanti@stocktonca.gov; tgohring@waterforum.org; tgstoked@gmail.com; tim@restoredelta.org; tkeeling@freemanfirm.com; trobancho@freemanfirm.com; towater@olaughlinparis.com; vkincaid@olaughlinparis.com; wes.miliband@aalrr.com; wfemlen@solanocounty.com; wirthsoscranes@yahoo.com

Subject: **DWR REAFFIRMS ITS RENEWAL OF MOTION TO QUASH AND FOR PROTECTIVE ORDER**
Attachments: DWR REAFFIRMS ITS RENEWAL OF MOTION TO QUASH AND FOR PROTECTIVE ORDER.PDF;
Proof of Service (8-13-18).pdf

Dear Hearing Officers Doduc and Marcus,

The Department of Water Resources respectfully Reaffirms its Renewal of Motion to Quash and for Protective Order.

This message is electronically served upon the parties indicated in the revised service list dated August 7, 2018. A copy is being mailed to Clifton Court L.P.

Respectfully,

Bobbie Randhawa

Legal Analyst

Office of the Chief Counsel

Department of Water Resources

(916) 653-8167

Baljit.Randhawa@water.ca.gov

1 Spencer Kenner (SBN 148930)
James E. Mizell (SBN 232698)
2 Emily M. Thor (SBN 303169)
DEPARTMENT OF WATER RESOURCES
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6 Attorneys for California Department of Water
Resources
7

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

10 **HEARING IN THE MATTER OF CALIFORNIA**
11 **DEPARTMENT OF WATER RESOURCES**
12 **AND UNITED STATES BUREAU OF**
13 **RECLAMATION REQUEST FOR A CHANGE**
14 **IN POINT OF DIVERSION FOR CALIFORNIA**
15 **WATER FIX**

CALIFORNIA DEPARTMENT OF
WATER RESOURCES REAFFIRMS
ITS RENEWAL OF MOTION TO
QUASH AND FOR PROTECTIVE
ORDER

16 The California Department of Water Resources (“DWR”) reaffirms the renewal of its
17 Motion to Quash and for Protective Order from Deirdre Des Jardins’ July 13, 2018, Notice
18 to the Department of Water Resources Calling Witness to Appear at the WaterFix Hearing.

19 In accordance with the Board’s July 27, 2018, Ruling, DWR met and conferred with
20 Deirdre Des Jardins on August 3, 2018 regarding the notice to appear for Tim Wehling, a
21 DWR employee. As DWR’s objections to Ms. Des Jardins proposed line of questioning for
22 Mr. Wehling were not resolved during that time, DWR, as permitted by the Board, renewed
23 its Motion to Quash and for Protective Order on August 7, 2018. On August 9, 2018, Ms.
24 Des Jardins submitted to the Board her proposed cross-examination questions for Mr.
25 Wehling, which are focused on the existing Clifton Court Forebay facility. These questions
26 confirm the arguments made by DWR in its August 7, 2018, Renewal of Motion to Quash
27 and for Protective Order and are clearly outside the scope of Part 2 Rebuttal. (Board June
28 18, 2018, Ruling on Deadline for Part 2 Rebuttal Testimony.) They are neither responsive

1 to another party's Part 2 case-in-chief nor do they regard changes to the California
2 WaterFix as described in the Draft Supplemental Environmental Impact
3 Report/Environmental Impact Statement ("DSEIR/EIS"). As such, DWR respectfully
4 requests the Board grant the renewal of its Motion to Quash and for Protective Order.

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6 Executed on this 13th day of August, 2018, in Sacramento, California.

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10 Emily M. Thor
11 Attorney
12 California Department of Water Resources
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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):

DWR'S REAFFIRMS ITS RENEWAL OF MOTION TO QUASH AND FOR PROTECTIVE ORDER

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 7, 2018, 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 August 13, 2018
Date

Signature: Bobbie Randhawa

Name: Bobbie Randhawa

Title: Legal Analyst

Party/Affiliation: DWR

Address: 1416 Ninth Street 1104
Sacramento, CA 95814