

HERDLYN ROAD
BYRON, CALIFORNIA
(209) 835-5327

CCLP-19-1

SHELDON G. MOORE
ROUTE 1, BOX 9
BYRON, CALIFORNIA 94514

Director
California Department of
Water Resources
P.O. BOX 942836,
Sacramento, CA 94236-0001

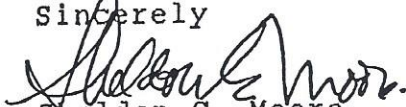
Dear Sir:

June 18, 1990

I am an owner and operator of property south of the Clifton Court Forebay. Your agency does not control the ground squirrels in this area and this presents serious economic and safety problems to us. I am certain that you are aware that burrowing animals in levees will cause failure of those structures. In 1989 I lost approximately eight acres of crops to foraging squirrels and we spent about \$6000 in men and materials in an attempt to mitigate the damages. This year I will experience damages in the neighborhood of \$20,000. I do not understand the Departments' management of this problem. The problem will not go away and it will only become more costly with further delay.

I expect the California Department of Water Resources to be prompt in the correction of this management problem. I expect the Department to be honest and fair in dealing with neighboring taxpayers.

Sincerely


Sheldon G. Moore

Sheldon G. Moore
7500 Herdlyn Road
Byron, California 94514

March 30, 1995

Mr. Larry Guillen
Department of Water Resources
Operations and Maintenance
West End of Kelso Road
Route 1, Box 39
Byron, CA 94514

Dear Mr. Guillen,

I would like to bring to your attention a serious problem which requires your immediate attention. Squirrels have completely infested the south banks and levees of the Clifton Court Forebay and are attacking crops in the fields of my adjacent farm. This presents serious economic and safety problems to me. Recently after the severe rains and floods, I did a visual check and was shocked at the large number of squirrel holes in the banks and levees. I am certain that you are aware that burrowing animals in levees will cause failure of those structures.

Prior to the building of the Forebay, squirrels were never a problem. As you may recall, in 1990 I wrote to you regarding this problem. After you visited my farm, a squirrel control program was implemented for a few months. Although the squirrels were better that year, a satisfactory on going control program was never set up. Consequently, the next year the squirrels returned.

For the past seven or eight years, I have been forced to pay a worker to take care of squirrel control. Proper squirrel control takes a worker four hours a day, 180 days a year -- plus the cost of materials. Furthermore there is the ever increasing cost of crop damage. The squirrels forage in the fields up to a half mile away and then they return to their homes in the banks and levees. It is impossible to control the squirrels without a regular and sustaining squirrel control program on your part.

In 1994 I retired. I no longer have workers on my payroll who I can assign to squirrel patrol. Frankly it is beyond my resources to take care of the squirrel problem. Furthermore, my lessee is unable to cope with the problem and is suffering severe crop losses due to your negligence. I feel that it is an undue burden

to expect the lessee of my land to take care of your squirrel problem.

The squirrel problem is not going to disappear. Furthermore, since no one has developed an effective on going program to take care of the squirrels, the problem has become epidemic. The squirrels must be taken care of on a regular basis.

I look forward to hearing from you.

Sincerely,

Sheldon G. Moore

Sheldon G. Moore
7500 Herdlyn Road
Byron, California 94514

March 30, 1995

Francis Misuno
Operations & Maintenance Manager
San Luis & Delta Mendota Water Authority
Rt. 1, Box 35F
Byron, CA 94514-9614

Dear Ms. Misuno,

I would like to bring to your attention a serious problem which requires your immediate attention. Squirrels have completely infested the banks and levees of the Delta Mendota intake canal and are attacking crops in the fields of my adjacent farm. This presents serious economic and safety problems to me. Recently after the severe rains and floods, I did a visual check and was shocked at the large number of squirrel holes in the banks and levees. I am certain that you are aware that burrowing animals in levees will cause failure of those structures.

For the past seven or eight years, I have been forced to pay a worker to take care of squirrel control. Proper squirrel control takes a worker four hours a day, 180 days a year -- plus the cost of materials. Furthermore there is the ever increasing cost of crop damage. The squirrels forage in the fields up to a half mile away and then they return to their homes in the banks and levees. It is impossible to control the squirrels without a regular and sustaining squirrel control program on your part.

In 1994 I retired. I no longer have workers on my payroll who I can assign to squirrel patrol. Frankly it is beyond my resources to take care of the squirrel problem. Furthermore, my lessee is unable to cope with the problem and is suffering severe crop losses due to your negligence. I feel that it is an undue burden to expect the lessee of my land to take care of your squirrel problem.

The squirrel problem is not going to disappear. Furthermore, since no one has developed an effective on going program to take care of the squirrels, the problem has become epidemic. The squirrels must be taken care of on a regular basis.

I look forward to hearing from you.

Sincerely,

Sheldon G. Moore



Sheldon G. Moore
7500 Herdlyn Road
Byron, California. 94514

Dear Mr. Moore:

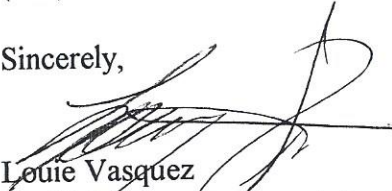
This letter is a follow-up to our conversation of April 10, 1995 concerning the ground squirrel problem along the intake channel of the Delta-Mendota Canal (DMC). At the time of our conversation I agreed to install a bait station within three (3) weeks time. Due to the rains in late April, this commitment was delayed. The bait station however will be in place by June 12, 1995.

The San Luis & Delta-Mendota Water Authority (Water Authority) will began a rodent control program along the intake channel of the DMC. Per your request, rodent bait stations will be placed as soon as the green vegetation has dried out.

The bait stations will be in place for approximately five (5) weeks and will be removed and reinstalled in the fall. By encouraging the ground squirrel to store the feed for the winter, the population in the spring will be reduced.

If you have any questions or concerns regarding our plans, please give me a call at (209)826-4788.

Sincerely,


Louie Vasquez
Civil Maintenance Superintendent

LV/bb

cc. Liz Partridge, USBR

842 SIXTH STREET

SUITE 7

BOX 2157

*Spoke w/ Secretary
'Barbara on
7-17 -
Louie Back in tomorrow,
Vasquez*

BANOS, CA

5

126-9696

Sheldon G. Moore
7555 Herdlyn Road
Byron, California 94514
(209) 835-5327

September 11, 1995

Mr. Larry Guillen
Department of Water Resources
Operations and Maintenance
West End of Kelso Road
Route 1, Box 39
Byron, CA 94514

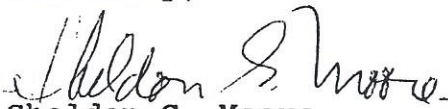
Dear Mr. Guillen,

The diversion canal, on the west side of the Clifton Court tract that empties into the Clifton Court Forebay just east of the Fishscreen, is not being maintained. The drain is plugged up and there are squirrel holes in the banks.

In the late '60's this canal was taken over by the Department of Water Resources for State use. I would like to know who in the Department is in charge of maintaining this diversion canal. The canal needs to be cleaned out so that the water will flow. Furthermore, the squirrels need to be controlled. As the canal lies beyond my property line, I can do nothing but watch. I am alarmed with the maintenance program now in effect.

I look forward to hearing from you.

Sincerely,


Sheldon G. Moore

Sheldon G. Moore

7555 Herdlyn Road
Byron, CA 94514
(209) 835-5327

July 22, 1996

Mr. Larry Guillen
Department of Water Resources
Operations and Maintenance
West End of Kelso Road
Route 1, Box 39
Byron, CA 94514

Dear Mr. Guillen:

In March of 1995, I wrote to you regarding a problem with squirrels infesting the south banks and levees of the Clifton Court Forebay. As my farm is adjacent to the Forebay, I am directly affected by the Department of Water Resources treatment of squirrels. After my March 1995 letter, the squirrels were taken care of for several months, however I am now seeing a return of the squirrel infestation.

I ask that your Department again control the squirrels infesting the banks and the levees of the Clifton Court Forebay. As I stated in my letter of March 1995, the squirrel problem is not going to disappear. The squirrels must be taken care of on a regular basis.

I look forward to hearing from you.

Sincerely,

Sheldon G. Moore

*8-15-96
Larry Guillen called
They have reg program
Cordial conversation*

Julian Ramirez

Sheldon G. Moore
7555 Herdlyn Road
Byron, CA 94514-1607
(209) 835-5327

June 3, 2002

Director
U.S. Bureau of Reclamation
Tracy Engineering O&M Division
16800 Kelso Road
Byron, CA 94514-9614

Dear Sir or Madam:

I am an owner of property south of the Clifton Court Forebay. Your agency does not control the ground squirrels in this area and this presents serious economic and safety problems to us. This is an ongoing problem that needs to be addressed on a regular basis, not just when neighbors complain. I am certain that you are aware that burrowing animals in levees will cause failure of those structures. I do not understand the Bureau's management of this problem. The problem will not go away and it will only become more costly with further delay.

I expect the Bureau of Reclamation to be prompt in the correction of this management problem. I expect the Bureau to be honest and fair in dealing with neighboring taxpayers. I look forward to hearing how you plan to solve this problem.

Sincerely,

Sheldon G. Moore

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



JUN 26 2002

Mr. Sheldon G. Moore
7555 Herdlyn Road
Byron, California 94514-1607

Dear Mr. Moore:

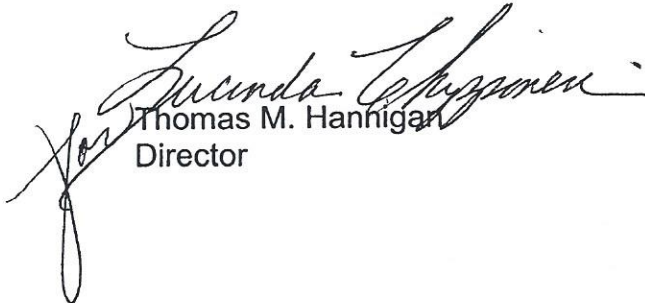
This is in reply to your letter of June 3, 2002 regarding control of the ground squirrel population in your area.

The Department of Water Resources sympathizes with your problem and is working on a resolution. This year we have noticed a high population of squirrels due to dry spring conditions. We have also found that the type of crops grown by farmers and the water supply available affects the squirrel population each year.

Due to environmental concerns, we can only use bait traps in early summer to control the squirrel population. On June 13, 2002, DWR began baiting the squirrel traps, which in previous years has been very successful. When this process is complete, we expect the squirrel population to decrease.

Regrettably, we are only able to address the squirrel population on DWR property. If you have any questions or need additional information, you may contact David Duval, Chief of the Delta Field Division, at (209) 833-2017.

Sincerely,


Thomas M. Hanhigan
Director



United States Department of the Interior

BUREAU OF RECLAMATION
 Mid-Pacific Regional Office
 2800 Cottage Way
 Sacramento, California 95825-1898

IN REPLY
 REFER TO:

MP-450
 LND-6.00

MAY 09 2002

Mr. Sheldon G. Moore
 7555 Herdlyn Road
 Byron, California 94514-1607

Subject: Concerns Regarding Proposed Property Purchase and Upcoming Construction (Your Letter Dated March 23, 2002)

Dear Mr. Moore:

Thank you for your letter of March 23, 2002, in which you expressed your views on several issues related to our proposed acquisition of your property and the planned construction of the Tracy Fish Test Facility (TFTF). Due to our construction schedule, the cumulative known and unknown costs to acquire your property, and our continued impasse on several issues, we are suspending our efforts to acquire your property. We sincerely regret that our negotiations have not succeeded. Certainly it is unfortunate that during our discussions we had unforeseen personnel changes.

Despite our differences on a number of issues, we will continue to work with you to minimize any negative impacts that may result from our construction activities. Furthermore, it is possible that Reclamation may be interested in acquiring your property at a later date for purposes other than the TFTF. Our contractors have completed a survey of your property which indicates that the property is made up of 635.90 acres, 61.45 acres more than reflected on the county assessor's maps on which our appraisal was based. Any future discussions pertaining to the acquisition of your property will be based on the surveyed acreage.

Of concern in the near term is the relocation of that part of your access road/driveway that is currently located on property of the United States. We will absorb the cost of the relocation and schedule it to avoid interference with ingress and egress to your residence. Jane Scott, Realty Specialist, will be meeting with you to discuss our plans in detail.

Finally, our discussions with the San Luis and Delta-Mendota Water Authority and with the Reclamation Drill Crew have resulted in assurances that your pump replacement contractor should have no problem accessing your Delta-Mendota intake pump for replacement.

We are hopeful that we can continue a dialogue with you to minimize any negative impacts as construction progresses. If you have any questions concerning this letter, please contact Ms. Scott at (916) 978-5322 (TDD 978-5608).

Sincerely,

Donna E. Tegelman
 Acting Regional Resources Manager

cc: MP-120 (C. Werder)
 SCC-460 (R. Silva)

Sheldon G. Moore
7555 Herdlyn Road
Byron, CA 94514-1607
(209) 835-5327

June 3, 2002

United States Department of the Interior
Bureau of Reclamation
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825-1898

Attn: Donna Tegelman

Dear Ms. Tegelman;

Thank you for your letter of May 9th, 2002, which I received after returning home on May 21st. Your letter brings closure to the Bureau's acquisition inquiry, which was instigated by Mr. Ron Brockman in December of 2000. This has been a time consuming, yet informative process learning how our government does business.

My letter of March 23rd laid in detail out some of the problems that I have experienced with the Bureau. I have no desire to deal with the Bureau until damages caused by your operations are rectified in a satisfactory manner. Damages include my levee erosion due to an increase in the velocity of water caused by high water export with no provisions for protecting my existing levees. Water levels in the intake canal that vary up to 8 feet because of plugged trash racks and fish screens, not tides, continue to damage pumps and increase pumping costs. Squirrels not kept in check on your property, create burrows on my property. Trespassers are not actively kept out of the Bureau's property. Invariably, trespassers vandalize my equipment. I need a good neighbor who takes responsibility for their property. I need full disclosure of past, present, and future negative impacts of your operations on my property.

Finally, you mention relocating my access road. In 1955 when the Bureau "bought" land under threat of condemnation from Grace Ritchie, the public road was relocated to its present location. I believe the Land Purchase Contract dated November 3rd, 1955 protects my rights to this road. I have no desire to have my road relocated or my operation disrupted.

Sincerely,

Sheldon G. Moore

Cc: Richard Pombo

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



September 3, 2002

Mr. Sheldon G. Moore
7555 Herdlyn Road
Byron, California 94514-1607

Dear Mr. Moore,

This letter is in response to your August 19, 2002 letter requesting certain information about the South Delta Dredging Project, which DWR undertook in Year 2000. You first ask why DWR was involved in this program.

In 1999 and 2000, DWR sponsored a number of public workshops in the City of Tracy to update interested stakeholders on the status of the CALFED Bay-Delta Program's proposed South Delta Improvements Program. The SDIP proposes four permanent operable barriers in the south Delta to improve fishery conditions and improve water levels and circulation for local agricultural diverters as well as an increased diversion capacity at the State Water Project's Clifton Court Forebay. During those workshops, many boaters, marina owners and landowners expressed concern that the channels in the south Delta were becoming very shallow and that there was a need to do extensive dredging to correct the problem. As a result of this, CALFED proposed a dredging project in the south Delta, which DWR undertook in late 2000. All of the necessary State and federal regulatory permits were secured prior to the initiation of the project.

After a competitive bid process, the contract to conduct the dredging was awarded to Steelhead Constructors Incorporated of Palo Cedro. The total amount paid to the contractor was \$3,159,408. There were other internal costs for the project associated with preparation of environmental documentation, permitting, final design, contract preparation and contractor supervision which cannot easily be estimated.

The following permits were obtained prior to the initiation of the dredging project:

- Nationwide Permit 35 (Corps of Engineers Project #2000 00165)
- Nationwide Permit 16 (Corps of Engineers Project #2000 00165)
- U.S. Fish and Wildlife Service's Biological Opinion for the Proposed Dredging of the South Delta (#1-1-00-F-139)
- Department of Fish and Game Streambed Alteration Agreement (Notification Number II-278-00)
- National Marine Fisheries Service's Letter of No Adverse Affect (I-SA-00-39:MCV), and

Mr. Sheldon G. Moore

Page 2

- Waste Discharge Requirements (Central Valley Regional Water Quality Control Board Resolution 82-036 (waiver) and WDR 5-00-183).

I hope this provides you with the information you requested. If you have any further questions you may contact Paul Marshall, Supervising Engineer, of my staff at (916) 653-2118.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Ford" with a stylized flourish at the end.

Mike Ford
Chief, South Delta Branch

Sheldon G. Moore
7555 Herdlyn Road
Byron, CA 94514-1607
Phone (209) 835-5327
FAX (209) 835-1529

October 15, 2002

Mr. Paul Marshall
California Department of Water Resources
Bay-Delta Office
1416 Ninth Street, P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Marshall,

We have many concerns with the California Department of Water Resources and U.S. Bureau of Reclamation proposed South Delta Improvement Program. We have lived for forty years on our farm, which is adjacent to the Clifton Court Fore bay and the Tracy Fish Screen. Our lives have been dramatically affected by problems directly caused by the DWR & USBR operations. Yet neither DWR nor USBR recognizes that any problems exist. These problems include:

- Erosion of our riverbanks. We have spent over \$1 million in present value dollars on riprap in efforts to protect our levees from the increased velocity flow caused by the export of water.
- Dredging problems. Dredging of silt can open up sand strata that will cause seepage and can undermine the rock protection and cause riprap failure. The State and Federal water users should pay for any required rock protection.
- Water levels. When temporary barriers are erected, our water levels drop and our pumping costs increase dramatically. We have even had to replace pumps that have burned out when the water level has dropped due to barriers. Why are we being forced to pay for your environmental blunders?

Prior to water projects our property was irrigated by gravity water. Today we must pump all that water. Water users who benefit from that exploitation should pay for the cost of pumps and energy. Why should we pay for their benefit?

It does not make sense to increase Federal and State water export from 10,000 CFS to 13,500 CFS, the current problems have not been solved. Also we should not forget that this water is all exported using fossil fuel. Once current negative impacts of water exportation are solved and corrected, then we can look at what must be compromised to get more water moved out of the Delta.

Sincerely,


Sheldon G. Moore & Nancy D. Moore

Sheldon G. Moore
7555 Herdlyn Road
Byron, CA 94514-1607
(209) 835-5327

June 23, 2003

Dan Meier, Project Manager
U.S. Department of Interior
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Dear Mr. Meier,

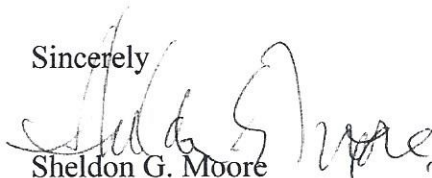
Your proposed canal intertie has an adverse economical and environmental affect our property and operations.

Your May 28, 2003, news release, indicates that you want to pump more water. Reclamation has made many changes in operation of the Delta-Mendota Canal since condemnation action against our property many years ago. These changes and their adverse affect on our property have never been resolved.

The Bureau of Reclamation, since 1961, has put rock on the Delta-Mendota intake channel and on that portion of Fabian Tract condemned for the Delta-Mendota Canal. I was forced to rock our entire Old River levee in order to survive. The Bureau of Reclamation has lowered the water level for my pumps without any consideration. I have been forced to pay tens of thousands in increased energy costs and pump maintenance. All of these costs are an added tax to me and that is extremely unfair.

The present day capitalization of these costs to our operation is a seven-figure sum. It is time for the Bureau to recognize and correct over sights of the past. I want positive corrective action now.

Sincerely


Sheldon G. Moore

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



NOV 01 2005

Mr. Sheldon G. Moore
7555 Herdlyn Road
Byron, California 94514-1607

Dear Mr. Moore:

The Department of Water Resources (DWR) of the State of California, will soon be completing an appraisal of your property located in Contra Costa County, identified as Assessor's Parcel Nos. 001-081-018-2, and -024-0 (see enclosed map). These properties are being appraised in conjunction with the Clifton Court Forebay Dredging Project.

You or your representatives are welcome to accompany me, the appraiser, on the inspection tour of your property. This can be arranged by calling me at (916) 653-0996, or toll free at (800) 600-4397.

This notice does not constitute an offer to purchase your property, nor does it establish eligibility for you or your occupant for relocation assistance or relocation payments.

Sincerely,

A handwritten signature in cursive script that reads "Kelley Di Pinto".

Kelley Di Pinto
Associate Land Agent

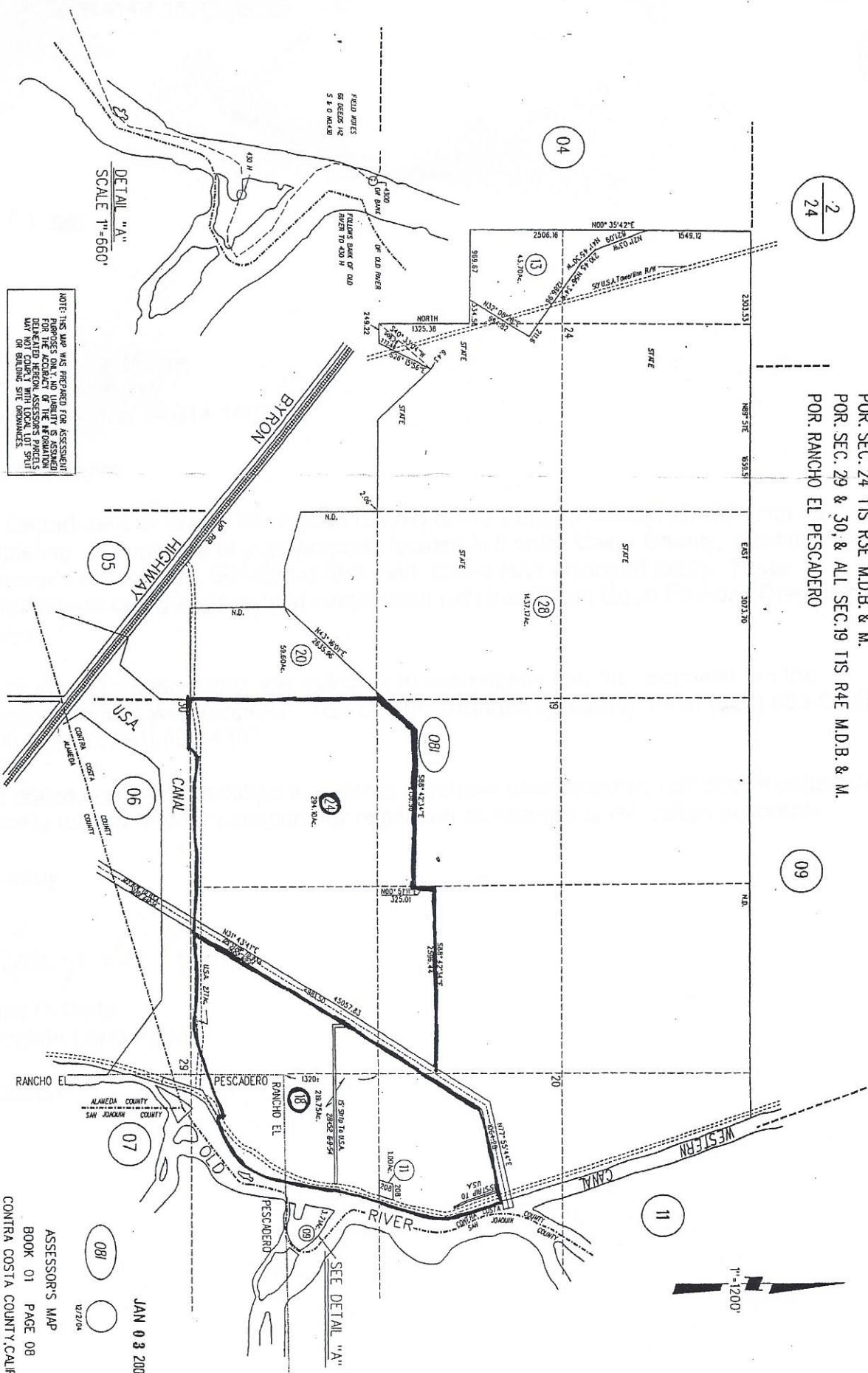
Enclosure

2
24

POR. SEC. 24 T1S R3E M.D.B. & M.
POR. SEC. 29 & 30, & ALL SEC. 19 T1S R4E M.D.B. & M.
POR. RANCHO EL PESCADERO

09

11



DETAIL "A"
SCALE 1"=660'

NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY, AND SHOULD BE ASSUMED TO BE CORRECT UNLESS OTHERWISE INDICATED HEREON. ASSESSORS' PARCELS MAY NOT CORRELATE WITH LOCAL LOT SPREADS OR BUILDING SITE ORDINANCES.

JAN 03 2005

ASSESSOR'S MAP
BOOK 01 PAGE 08
CONTRA COSTA COUNTY, CALIF.

Department of Agriculture

2366 A Stanwell Circle
Concord, CA 94520-4807
(925) 646-5250
FAX (925) 646-5732

Branch Office

Knightsen Farm Center
Delta Road @ Second Street
P.O. Box 241
Knightsen, CA 94548
(925) 427-8610
FAX (925) 427-8612

**Contra
Costa
County**

Vincent L. Guise
Agricultural Commissioner
Director of Weights and Measures

Sheldon Moore
1584 Summer Hill Lane
Lincoln, CA 95648

July 15, 2011

Dear Mr. Moore,

Recently Scott Bedford called our office about a ground squirrel problem he's been having on the property he leases from you in Contra Costa County. Mr. Bedford has been purchasing diphacinone bait from our department for several years to minimize crop damage from these rodents.

On July 12, 2011, of this year, I met with Mr. Bedford on the Herdlyn Road property in Byron. Mr. Bedford showed me the damage the squirrels were causing and the control methods he was using. He pointed out that he has been having success in controlling the squirrels that were on the property with the bait; however re-infestations were occurring from neighboring properties that do no ground squirrel control at all. This is a common problem for many growers throughout the State and it is a difficult one to resolve. By law a grower cannot use any pesticide on a property that he does not control. Mr. Bedford explained that he broadcasts the bait several times a year, gets good control and then new squirrels invade the property from outside sources. In my opinion his management program is sound, and the problem lies in the non-treated areas around your ranch. I have an appointment to speak with the officials who run the water project near your property to see if they will control the ground squirrels near your property or hire the Agriculture Department to do it for them. I also plan on testing Zinc phosphide on one field to see if we can get better control with just one application.

Hopefully we will get cooperation from land owners near you as it is also in their best interest to control damage from these rodents.

Sincerely,
Gene Mangini
Deputy Ag. Commissioner
Contra Costa County



Meeting Notice and Agenda

Meeting of the California Water Commission

Wednesday, February 15, 2012

State of California, Resources Building

1416 Ninth Street, First Floor Auditorium

Sacramento, CA 95814

Beginning at 9:00 a.m.

1. Welcome and Introductions
2. Roll Call
3. Approval of minutes
4. Executive Officer's Update
5. Update on DWR Activities Related to Proposed Resolutions of Necessity for properties in Contra Costa, Sacramento, and San Joaquin Counties
6. - 25. Action Items: Consideration of Resolutions of Necessity for properties in Contra Costa, Sacramento, and San Joaquin Counties (Action may be taken on these Resolutions of Necessity at this meeting)

Item	Owner Name	Assessor's Parcel Number	Resolution Number
6	Coney Island Farms, Inc.	001-111-004-6; 001-111-005-3	2012-10
7	Lucille Christensen Family Trust; Lorraine L. Croup 1992 Trust	132-0010-014-0000	2012-25
8	Elliot Family Revocable Trust date April 13, 1993	132-0120-001-0000	2012-07
9	Delta Wetlands Properties, An Illinois General Partnership	069-030-37; 069-030-38	2012-15
10	Delta Wetlands Properties, An Illinois General Partnership	129-050-01; 129-050-03; 129-050-08; 129-050-11; 129-050-12; 129-050-14; 129-050-15; 129-050-16; 129-050-28; 129-050-54	2012-19
11	CCRC Farms, LLC	129-040-41	2012-17
12	Tuscany Research Institute, CCRC Farms, LLC	129-040-37; 129-040-38; 129-040-43	2012-18
13	Norman J. and Katherine Marks Trust	156-0010-010-0000	2012-03
14	Greene and Hemly, Inc.	146-0020-045-0000	2012-06

California Water Commission Meeting Agenda, February 15, 2012

Page 2

15	Robert A. Sr., David and Kelley Dal Porto	032-050-003-6	2012-13
16	Carolyn A. Nichols Revocable Living Trust; Eileen V. Nichols Revocable Living Trust and Victoria Island, L.P.	129-190-31	2012-21
17	Clifton Court, LP; Alba C. Moore Survivor's Trust, and the Moore Exemption Trust <i>Postponed</i>	001-081-020-8	2012-09
18	Arnaudo Bros. LP, Arnaudo Bros. Inc.	189-250-34	2012-22
19	Mark Scribner, Jr. Successor Trustee, Grace M. Scribner Living Trust	119-0230-067-0000	2012-24
20	Donald R. McClain & Barry A. McClain <i>Postponed</i>	132-0120-003-0000	2012-02
21	The Conrad and Berniece Silva Revocable Trust, and The Conrad Silva Exempt Marital Deduction Trust	129-180-35	2012-20
22	Venice Island, Inc.	069-040-08	2012-16
23	Tsakopoulos Family Trust	132-0210-001-0000	2012-23
24	Biagi Living Trust Agreement	055-080-04	2012-14
25	Wurster Ranches, LP	132-0210-032-0000; 132-0210-054-0000	2012-04

***Items 17 and 20 have been postponed and will not be heard at this meeting.*

The Commission will break for lunch between approximately noon and 1:00 p.m. If the Commission has not completed all of its action on agenda items #6-25, it will resume consideration of those matters in the afternoon, following items #26 and #27.

26. Action Item: Update on Delta Levees Special Projects Program (1:00 p.m.)
27. Action Item: Update on Office of Administrative Law Decision on Agricultural Water Measurement Regulation and Consideration of DWR Proposal for Revision to Regulation (1:30 p.m.)
28. Action Item: Adoption of Committees
29. Action Item: Update on Strategic Plan and Consideration of Mission Statement
30. Consideration of items for next California Water Commission meeting
31. Public Comments
32. Adjourn

At the discretion of the California Water Commission, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action.

Clifton Court, L.P.
 Sheldon G. & Nancy D. Moore
 1584 Summerhill Lane
 Lincoln, CA 95648

March 17, 2012

Susan Sims
 Executive Officer
 California Water Commission
 1416 Ninth Street
 P.O. Box 942836
 Sacramento, CA 95746

Dear Ms. Sims,

As per your request, we are sending written comments to you for the March 21, 2012 California Water Commission meeting. We have many concerns that we wish to discuss. Our first concern is that there has been no response to our letters. We wrote a letter on January 9, 2012 stating many of our concerns and asking that the January hearing be delayed. At the January 18, 2012 meeting, Mr. Allan Davis stated that the owner had not identified any specific concerns. When our daughter, Suzanne Womack, sent the Commission and DWR certified letters on January 25, 2012 with our letter of January 9th attached, we finally received a reply from the Commission stating that the DWR staff would be in contact. Finally on March 17, 2012 we received a letter. How can we make any decisions without timely answers to our questions? The only other letter we have received is a demand that the owner of record tell Tom O'Neil that our daughter/partner, Suzanne Womack, is an official representative. Of course she is. She is part of the next generation who intend to carry on with our property.

What is the project?

First of all we have never been told what the project is and why there is a necessity to drill again. According to the February 20, 2012 Sacramento Bee front page article, our property is going to be a new 900 acre forebay. How can the newspaper know what is planned and when you have not informed the landowners?

Drilling Location

The State has given us no reason why they need to drill in that specific spot. In fact since there is not a scale on the map, we really have no idea where the drilling will take place. We only know that it will be in the middle of a field. We don't know why the temporary road makes a button hook, or how the road crosses over our permanent concrete ditches. We don't know why you can't drill at the edge of the field. We do know from our experience of farming around the electricity tower obstructions already in our field, that it costs about \$2,000 per year, per obstruction to farm around obstructions.

Vernal Pools

At the January 18, 2012 meeting, our daughter asked why DWR didn't drill on State land less than 100 feet away. She was told that there were vernal pools there. When we moved to Clifton Court in 1961, there were no vernal pools on any of the properties. Our daughter helped save the vernal pools at Mather Field as part of her class's winning entry to the Disney Environmental Challenge. As your geologists know, true vernal pools are formed over millions of years. We believe the State should drill on their property to cause the least private injury.

Permanent Non-exclusive Easement

Although you are offering other owners temporary easement options, DWR is only offering us a permanent non-exclusive easement. We believe a permanent non-exclusive easement will put a further cloud on the title of our property.

State already drilled on our property this past summer without permission.

This past summer, the DWR drilled on another section of our property. At the January 18, 2012 meeting, DWR claimed that they did not know that the property was ours. Seriously! Has the State never heard of the County Recorder? No compensation has been offered for this blunder.

State's offer to acquire the property...



The State's offer of \$600 is ridiculous. We have already spent much more than that just in the time it has taken to read all the paperwork we have been bombarded with. Just as you don't work for free, neither do we. You place an undue burden on the individual in this adverse condemnation. We have done nothing wrong. Our only crime is to own property that the State covets. Criminals are treated better than we are. We request the State supply us with counsel of our choice to deal with this unprovoked harassment.

State should pay for past damages.

We are tired of paying for the State boondoggles. Every time the State is involved with our land we end up having to pay. We've spent over \$1.2 million dollars re-rocking our levees that have been damaged by all the pumping. Just recently we gave our new tenant \$30,000 to control the squirrels on the State property that have over run our property. The State doesn't patrol the Forebay as it once did, nor does it maintain the gates and fences, thus creating an attractive nuisance that attracts as many as 15 fishermen per day. They vandalize pumps and leave trash everywhere. Despite numerous letters and phone calls over the years, nothing has ever been done. We are told that the State doesn't have the money to do anything.

Finally, why is the State wasting its precious money moving ahead with this project that is fiscally and environmentally unsound. The California Water Project was originally only supposed to take water from the North during the rainy season. As we live next to the gates, we know that they are never open during the rainy season. The California Water Project has already caused enormous problems to the Delta. If the flow to Los Angeles is increased, surely the damage will increase. We ask that the Commission use its considerable power to stop wasting taxpayer money.

Sincerely

 trustee +  trustee
Sheldon & Nancy Moore



Meeting Notice and Agenda

Meeting of the California Water Commission

Wednesday, March 21, 2012

State of California, Resources Building

1416 Ninth Street, First Floor Auditorium

Sacramento, CA 95814

Beginning at 1:00p.m.

1. Welcome and Introductions
2. Roll Call
3. Approval of minutes
4. Executive Officer's Update
5. Action Item: Amendments to Resolutions of Necessity passed prior to February 2012 regarding quit -claim language and hazardous materials testing
6. Update on DWR Activities Related to Proposed Resolutions of Necessity for properties in Contra Costa, Sacramento, and San Joaquin Counties
- 7.-9. Action Items: Consideration of Resolutions of Necessity for properties in Contra Costa and Sacramento Counties (Action may be taken on these Resolutions of Necessity at this meeting)

Item	Owner Name	Assessor's Parcel Number	Resolution Number
7	Elliot Family Revocable Trust date April 13, 1993	132-0120-001-0000	2012-07
8	Clifton Court, LP; Alba C. Moore Survivor's Trust, and the Moore Exemption Trust	001-081-020-8	2012-09
9	Tsakopoulos Family Trust	132-0210-001-0000	2012-23

10. Action Item: Consideration of Agricultural Water Measurement Regulations
11. Legislative and Budget Update
12. Briefing on Congressional Appropriations for National Oceanic and Atmospheric Administration Climate Change Research
13. Briefing on U.S. Army Corps of Engineers Levee Vegetation Policy
14. Briefing on DWR regulations for State Water Project encroachment
15. Action Item: Adoption of Mission Statement and Discussion of Strategic Plan
16. Consideration of items for next California Water Commission meeting
17. Public Comments
18. Adjourn

California Water Commission Meeting Agenda, March 21, 2012

Page 2

At the discretion of the California Water Commission, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action.

Further information regarding this meeting will be available at www.cwc.ca.gov. The meeting will be available for public viewing through a live webcast. The webcast will be available at the following URL:

<http://cawater.rmxpres.com/webcast/data/dwr03212012/main.htm>

- Members of the public shall be provided an opportunity to address the California Water Commission on any agenda item except closed session items. Comments during the public comment period shall be limited to matters within the Commission's jurisdiction. Reasonable time limits may be established for public comments (Government Code Section 11125.7)
- Agenda items may be heard in any order at the discretion of the Commission.
- Copies of meeting materials are available on the CWC website. Anyone may upon request obtain hard copies of background or other material on an agenda item that has been distributed to Members of the Commission. A fee covering the cost of the provision of such materials may be charged.
- It is the intention of the Commission that the meetings be webcast. However, due to technical difficulties the webcast may be unavailable at times. The full webcast video will generally be posted at cwc.ca.gov the following day.
- If you need reasonable accommodations due to a disability, or need language assistance please contact Danielle Gist at (916) 654-0533 or dgist@water.ca.gov at least a week prior to the meeting.
- For further information about items on this agenda please contact Rachel Ballanti, 1416 Ninth Street, Room 1148, Sacramento, CA 95814, (916) 653-7937 or rballant@water.ca.gov

**Sheldon G. Moore
1584 Summerhill Lane
Lincoln, CA 95648
916-408-3676**

April 6, 2012

**Sue Sims, Executive Officer
California Water Commission
1416 Ninth Street, P.O.B. 942836
Sacramento, CA 94236-001**

Dear Ms Sims:

Thank you for your letter of March 23, 2012. We met with Mr. Thomas O'Neil and others from the DWR at our ranch, Monday, April 2, 2012. There was no problem reaching an agreement for drilling a hole in our property. Mr. O'Neil is a valuable asset for the State of California.

It is sad that we were forced to appear before the California Water Commission on such a trivial matter. The location of that test hole was not that critical. We still do not know a real reason for the geological test, but we have our opinion.

We, in the private sector, are increasingly asked to bear costs of our time along with increases in fees and taxes. Our time is also our greatest asset.

Sincerely

**Sheldon G. Moore, General Partner
Clifton Court, LP**

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



APR 30 2012

Sheldon & Nancy Moore, General Partners,
Clifton Court, L.P.
Alba Moore Trustee,
The Alba C. Moore Survivor's Trust and
The Moore Exemption Trust
1584 Summerhill Lane
Lincoln, California 95648

RE: Right of Way Contract for a Temporary Non-Exclusive Easement

Enclosed is your fully executed Right of Way Contract for a Temporary Non-Exclusive Easement. This easement allows the Department of Water Resources (DWR) access to your property, referenced as DWR Parcel No. DCAP-533, also known as Assessor's Parcel No. 001-081-020, located in Contra Costa County, for the purposes of conducting geotechnical surveys as part of the Bay Delta Conservation Plan.

This transaction has been forwarded to our Accounting Office for processing and payment. You should expect to receive payment soon.

Your cooperation is very much appreciated. If you have any questions regarding this matter, you may contact me directly at (916) 653-7654, or toll free at (866) 688-3227.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom O'Neil".

Tom O'Neil
Associate Land Agent

Enclosure

Grantors: Clifton Court, L.P., a California limited partnership
Alba C. Moore, Trustee of The Alba C. Moore survivor's
Trust UTA dated February 21, 2007
Alba C. Moore, Trustee of The Moore Exemption Trust UTA
dated February 21, 2007

Project: Bay Delta Conservation Plan
APN: 001-081-020
Parcel No.: DCAP-533

RIGHT OF WAY CONTRACT – TEMPORARY EASEMENT

Document No. DCAP-533 in the form of a Temporary Non-Exclusive Easement covering the property particularly described in the above instrument has been executed and delivered to Tom O'Neil, Associate Land Agent for the State of California.

In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. (A) The parties have herein set forth the whole of their Contract. The performance of this Contract constitutes the entire consideration for said document and shall relieve the State of all further obligations or claims on this account, or on account of the location, grade or construction of the proposed improvement.
 - (B) Both Grantors and State enter into this Contract in lieu of the State proceeding with an eminent domain action to acquire a Permanent Easement as per the recommendation of the Superior Court, State of California, County of San Joaquin, *In Re: Department of Water Resources Cases, Coordinated Action: JCCP 4594*, and outlined in its Opinion and Final Order Denying Petition for Entry for Geologic Activities, entered by the Court on April 8, 2011.
 - (C) State requires said property described in Document No. DCAP-533 for conducting geotechnical explorations in support of the Bay Delta Conservation Plan, a public use for which State may exercise the power of eminent domain. In consideration of the State foregoing its authority to acquire a Permanent Easement to conduct geotechnical explorations by an eminent domain action, Grantors acknowledge that this Contract is non-revocable, and Grantors will not attempt in any manner whatsoever to request cancellation.
2. The State shall pay the undersigned Grantors the sum of \$600.00 for the property or interest conveyed by the above document.
 3. Permission is hereby granted the State and its authorized agents to enter upon Grantors' land where necessary within that certain area shown outlined on the map marked Exhibit "A" attached hereto and made a part hereof, for the purpose of conducting geotechnical explorations.
 4. Grantors will provide access to the property identified in Clause 3 above from May 1st through August 15th, 2012. State will provide Grantors with a minimum of 10 days advance verbal notice of State's intent to enter property. Grantors acknowledge and understand that each drill site will require a minimum of one (1) day to complete and a maximum of fourteen (14) days to complete depending on whether it is a Cone Penetration Test or a Drill Hole.
 5. The Temporary Non-Exclusive Easement shall terminate 60 days after completion of the geotechnical explorations planned for Grantor's property or upon October 31, 2013, whichever occurs first.
 6. The undersigned Grantors warrant that they are the owner in fee simple of the property affected by this Temporary Non-Exclusive Easement described in Clause 3 above and that they have the exclusive right to grant this Temporary Non-Exclusive Easement.
 7. State agrees to indemnify and hold harmless the undersigned Grantors from any liability arising out of the State's operations under this Contract. State further agrees to assume responsibility for any damages caused by reason of the State's operations under this Contract; and State will, at its option, either repair or pay for such damages.

- 8. State will exercise reasonable precautions to avoid damages and to protect persons and property. State's survey and investigation team members shall read and heed all signs posted as notification of potentially hazardous chemical substances used on the Property.
- 9. State acknowledges that the Property may include, without limitation, the use of pesticides, herbicides, fertilizer or other chemical substances (collectively "Substances"). State hereby agrees to accept and assume any and all risks of injury or damage arising from or relating to entry upon or use of the Property including, without limitation, injury or damage from exposure to Substances, except for such risks caused by the gross negligence or intentional tortuous conduct of Grantors.
- 10. Grantors assume no liability for loss of property, damage to property, or injuries to or deaths of agents, contractors, or employees of State by reason of the exercise of privileges given under this Contract.

NO OBLIGATION OTHER THAN THOSE SET FORTH HEREIN SHALL BE RECOGNIZED.

IN WITNESS WHEREOF, the parties have executed this contract.

GRANTORS



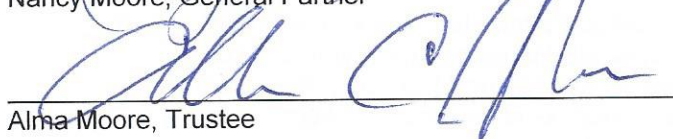
 Sheldon Moore, General Partner

Date: 4-20-2012



 Nancy Moore, General Partner

Date: 4/20/12



 Alma Moore, Trustee

Date: 4/20/12

CONSENT OF TENANTS

We, the Tenants of land described in this contract and/or said deed under lease with lessor, whose name is subscribed to this contract as Grantor, do hereby consent to the execution of said contract and agree that all money payable shall be paid to said Grantors as herein set forth.

Date: _____

DEPARTMENT OF WATER RESOURCES
acting by and through the California Natural Resources Agency
of the State of California

APPROVAL RECOMMENDED:



 Tom O'Neil, Associate Land Agent Date 4-24-2012

APPROVED:



 Allan Davis, Supervising Land Agent Date 4-27-12



 Carolyn Dabney, Senior Land Agent Date 4-25-12

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:



 Karin Shine, Senior Staff Counsel Date 25 April 2012
 Office of the Chief Counsel

I hereby certify that all conditions for exemption have been complied with and this document is exempt from the Department of General Services approval.



 Signature

**Sheldon G. Moore
1584 Summerhill Lane
Lincoln, CA 95648
916-408-3676**

04/06/2012

**Tom O'Neil, Land Agent
Dept. of Water Resources
P.O. Box 942836
1416 Ninth Street, 425
Sacramento, CA 95814**

Dear Mr. O'Neil:

I attempted to telephone you today, but reached the Department of Fish and Game. With automated telephone systems of today, I write you instead.

We reached a verbal this week on Clifton Court on a hole location for the requested Geological study. I realize that we must complete the legal papers to complete this.

As to entry dates, we prefer any date before August 15, 2012. We appreciate if our time is respected in clearing this matter.

Sincerely

**Sheldon G. Moore, General Partner
Clifton Court, LP**

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



June 13, 2012

Sheldon & Nancy Moore, General Partners,
Clifton Court, L.P.
Alba Moore, Trustee,
The Alba C. Moore Survivor's Trust and
The Moore Exemption Trust
1584 Summerhill Lane
Lincoln, California 95648

DWR Parcel No: DCAP-533
County: Contra Costa
APN: 001-081-020

This letter is confirmation of our telephone notification on July 15, 2012, regarding the Department of Water Resources' (DWR's) planned access to your property to conduct environmental studies to support the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Bay Delta Conservation Plan (BDCP).

As agreed in your Right of Way Contract – Temporary Easement, DWR is providing prior notice of DWR's planned activities to conduct a Drill Hole survey starting on June 18, 2012 and ending June 20, 2012. You had requested we attempt to complete drilling prior to July, 2012. Please call me if there are any land use conditions that we need to be aware of if there any locked gates.

Should you have any questions regarding our planned activities, please do not hesitate to contact me directly at (916) 653-0996, or toll free at (866) 688-3227.

Sincerely,

A handwritten signature in blue ink that reads "Olivia S. Garcia".

Olivia S. Garcia
Associate Land Agent

**Sheldon G. Moore
Clifton Court, L.P.
1584 Summerhill Lane
Lincoln, CA 95648
916-408-3676**

June 14, 2012

**State of California
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001**

Attn. Ms Garcia:

Your letter of June 13, 2012, adds to the confusion with a reference to a telephone call of July 15, 2012.

FYI, Water Resources did drill a test hole on the property in question on June 7 and 8, 2012. According to our records, that study was completed.

From the Department of Water Resources request in December 2011, there seems to be several groups requesting the same information, with no coordination between the groups. This is very costly for us to deal with this clutter.

I suggest that you contact Mr. Tom O'Neil also a land Agent at your address. I am certain Mr. O'Neil can help you solve your problem.

Sincerely

**Sheldon G. Moore
General Partner**

Suzanne Womack
Clifton Court, L.P.
3619 Land Park Drive
Sacramento, CA 95818
916 448-7102

November 8, 2012

Sue Sims, Executive Director
California Water Commission
P.O. Box 942836
Sacramento, CA 94236

Dear Ms. Sims,

We need your help finding the person in charge of Clifton Court Forebay. Since my parents and I met with you and Carl Toversen on September 11, 2012, we have heard nothing. Unfortunately our problems have become alarming.

While inspecting our farm on Sunday, November 3, 2012, we were dismayed to find six cars parked on Herdlynn Road opposite one of our dirt roads that lead to the Forebay. Two families were making their way across the ¾ mile dirt road. One family (2 adults & 3 children) had just crossed the concrete ditch with their bikes. We told them to get off our property. Although they complied, an hour later while checking our pump adjacent to the Forebay, we found that they had crossed our property. It was clear why they crossed our land. The "State" gate was wide open. Even when the gate was shut there was a two-foot gap that anyone could go through. There was neither a latch nor a lock.

Monday we called our tenant and found that although the gate was fixed once this spring, it has been broken for quite sometime. Trespassers are a daily occurrence.

DWR is running an attractive nuisance. We run a business. We cannot have people, especially young children riding bikes on our property. It is just too dangerous. We insist that the State fix the gate immediately. Besides daily patrols, we would like a hotline number to report trespassers. We demand that the State supply us with a letter stating that they are liable for any and all injuries/suits that may be brought by trespassers.

The State of California must take responsibility for their actions or inactions in relation to us at Clifton Court. We insist that the State do whatever is necessary to permanently stop the unlawful trespass violations of our property rights and the associated expense.

Sincerely,

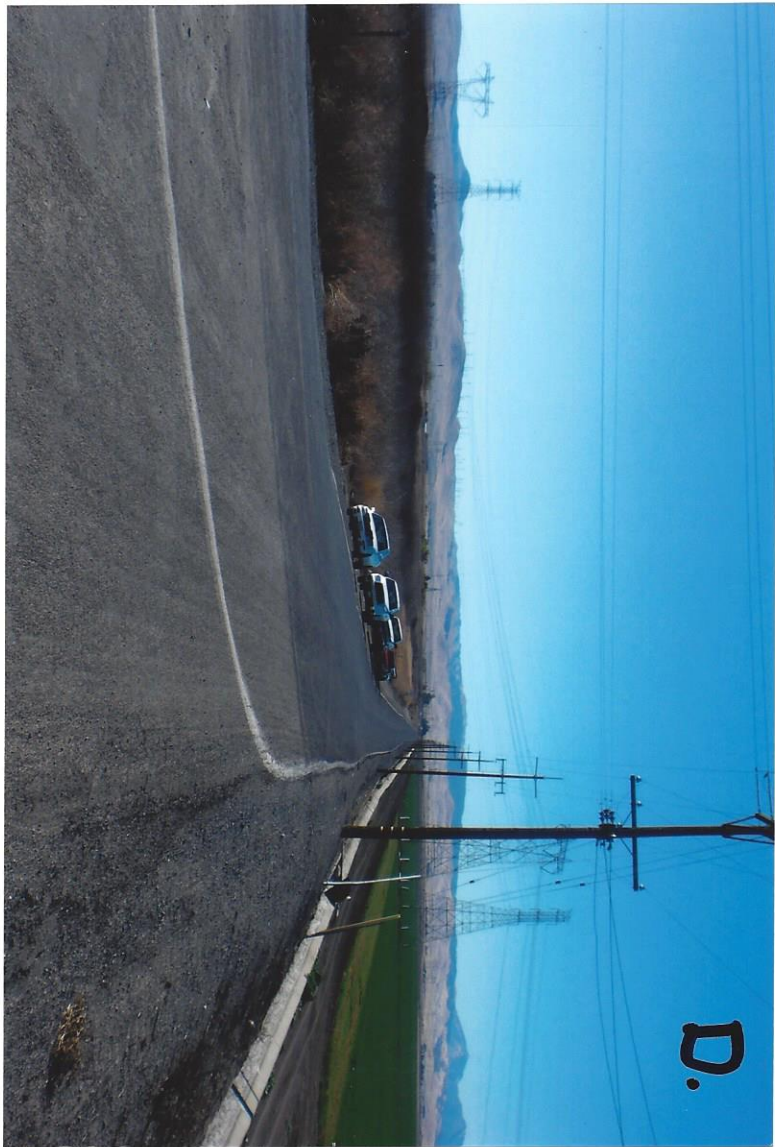
Suzanne Womack

Cc: Carl Toversen

Enclosures: Photos

- A. Trespassers – arrow points to narrow slat used to cross concrete ditch.
- B. Gate to Forebay as found – wide open.
- C. Gate closed – impossible to lock.
- D. – J. 6 cars parked on Herdlynn Road and their license numbers.
- K.- M. So much trash.





SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Sue Sims
 Calif. Water Commission
 1416 Ninth St.
 P.O.B 942836
 Sacramento, CA 94236-001

2. Article Number

(Transfer from service label)

7012 2210 0000 7278 8526

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- Agent
 Addressee

B. Received by (Printed Name)

[Signature]

C. Date of Delivery

11/19/12

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Carl Toversen
 DWR
 1416 Ninth St.
 Sacramento, CA
 95814

2. Article Number

(Transfer from service label)

7012 2210 0000 7278 8533

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- Agent
 Addressee

B. Received by (Printed Name)

Kevin Freeman

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes



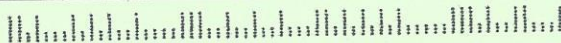
UNITED STATES POSTAL SERVICE



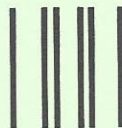
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Suzanne Womack
3619 Land Park Dr.
Sacramento, CA
95818



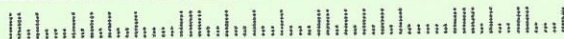
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Suzanne Womack
3619 Land Park Dr.
Sacramento, CA
95818



DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



DEC 14 2012

Suzanne Womack
Clifton Court, L.P.
3619 Land Park Drive
Sacramento, CA 95818

Dear Ms. Womack,

Thank you for contacting the Department of Water Resources (DWR) in your letter dated November 8, 2012, expressing concerns regarding trespassing issues at your property near Clifton Court Forebay. DWR shares your concern in this matter as well as the trespassing and vandalism that occurs on State property. DWR is eager to partner with you in minimizing the incidents and continuing to work towards eliminating it.

There are many items involved in maintaining a safe and secure perimeter that DWR works to take active and reasonable action on. As was mentioned in your letter, an access gate on the South side of Clifton Court Forebay was repaired in the spring. In addition, that same gate was repaired, most recently as of November 15, 2012. Also, many other holes in the perimeter fence between your property and ours are continually being identified and fixed. However, sometimes repairs only last a short time before vandalism occurs again.

DWR currently performs twice daily security patrols around Clifton Court Forebay. We also urge you to contact the local authorities whenever any trespassing is witnessed. In an effort to continue to minimize and eliminate trespassing, we will begin to perform weekly checks of gate and fencing and make repairs as timely as possible.

While we recognize and share your concern about potential injuries and lawsuits, DWR is unable to provide the indemnity from liability that you requested. As a government agency, DWR may do only what it has been authorized to do. DWR's statutory authority to indemnify third parties concerning real property is limited to circumstances where DWR is acquiring, or has previously acquired, property interests and is not broad enough to apply to this situation.

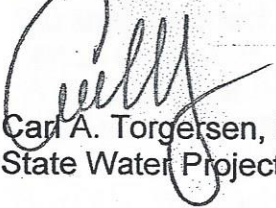
We sincerely appreciate your concern and believe that in partnership with you, we can work towards minimizing and eliminating the trespassing problem. Also, we should discuss the recommendations stated above and determine the feasibility and effectiveness to ensure they meet our mutual needs. Joel Ledesma is available to contact regarding these issues at (209) 833-2021. We will plan to notify you if there are any changes to this contact person.

Suzanne Womack

DEC 14 2012

Page 2

Sincerely,



Carl A. Torgersen, Deputy Director
State Water Project

cc: Sue Sims, Executive Officer
California Water Commission

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



April 22, 2014

Mr. Sheldon G. Moore
Clifton Court, LP
1584 Summerhill Lane
Lincoln, California 95648

Dear Mr. Moore:

This letter is in response to the telephone conversation conducted with Department of Water Resources' (DWR) Associate Right of Way Agent, Delia Grijalva on April 8, 2014. This telephone call was prompted by your contact with Public Outreach for the Bay Delta Conservation Plan (BDCP). You had several concerns which you communicated to Ms. Grijalva. Below are your questions and concerns followed by DWR's response.

Size of EIR/EIS

Your initial comment communicated your concern about the size of the document (22,000 pages) and your ability "know everything it contains." Enclosed with this letter is a copy of the Executive Summary of the EIR/EIS and EIR/EIS Highlights to assist you with your review of the document along with a copy of the Executive Summary of the BDCP and BDCP Highlights.

Water Removal from Sacramento River

Next, you asked "How is water to be taken out of the Sacramento River?", "When can water be taken out of the Sacramento River?", and "Where were the 9,000 cfs and 15,000 cfs figures obtained?" Enclosed is Fast Facts pamphlet for the BDCP Draft EIR/EIS which states the maximum water that can be diverted for each of the alternatives. Also enclosed is the Your Questions Answered section from the BDCP website (<http://baydeltaconservationplan.com/AboutBDCP/YourQuestionsAnswered.aspx>). The following statement is from the website in the "Your Questions Answered" Facilities, Operation, and Deliveries section:

The BDCP would provide an average of 4.7 to 5.6 million acre-feet of water supply in a year (one acre-foot is about as much water as two California households use each year). This "Early Long Term" estimate is for the year 2025 and is about the same amount of water exported through the Delta right now. Water operations would vary depending on the hydrologic conditions (e.g., water year type, actual Sacramento River flows, fish presence), but would always include a required level of Sacramento River flow passing the intakes before water could be diverted. Under all conditions, operational criteria require gradual ramping up of diversions and do not interfere with major river flows. Analysis of the water supply reliability benefits and estimated annual water deliveries of BDCP are included in Chapter 9. The full range of operational criteria by water year type can be found in Chapter 3: Conservation Strategy, Section 3.4 and the corresponding appendices/tables of the public Draft BDCP. In addition,

Mr. Sheldon G. Moore
April 22, 2014
Page 2

BDCP Chapter 5: Effects Analysis and associated tables provide a comparison of alternatives and anticipated water deliveries.

Gravity Flow vs. Pumping

You mentioned that originally riparian rights were asserted via gravity flow. Currently, a pump system is required for exercising riparian rights. These pumps get full of silt during use and cause many problems at the pump stations. DWR would like to address this concern, but requires clarification of your statement.

Are you asking for a solution to the silt deposits? Are you asking why you are required to pump when originally you were able to use gravity? Answers to these questions will assist DWR in replying to your concern. Once you provide this information, DWR will respond accordingly.

Charges for Pumping

You stated that \$100,000/day is charged due to pumping activities. DWR would like to address this concern, but requires clarification of this statement. Are you asking who is charged this money? Or how is this money charged/collected? Or who enforces this charge? Answers to these questions will assist DWR in replying to your concern. Once you provide this information, DWR will respond accordingly.

Dredged Forebay Materials

You asked what DWR is going to do with the materials dredged out of Clifton Court Forebay. At this time, DWR is exploring various alternatives.

Delta-Mendota Canal

You mentioned that you are not a supporter of the Federal Delta-Mendota Canal. Your belief is the canal was built to restore riparian rights on the San Joaquin and that is not occurring. DWR believes this comment can be better addressed by the Bureau of Reclamation (BOR). The BOR contact is Mr. Louis Moore, (916) 978-5106. After speaking with BOR, if you wish you can also submit this as a comment to the EIR/EIS during the public review period.

General Comments

In addition to your issues discussed above, you made several general comments about the Delta. Exportation of water is the Delta's main problem; Rip Rap is not a great solution to failing levees; the solutions to levee issues need to be resolved prior to developing a water conveyance system; adding to the Delta problems is the amount of pumping by the State and Federal Agencies; the document out for public review is not a true EIR; and seepage from Clifton Court Forebay is a problem on your property. DWR has made note of these concerns and forwarded them to the BDCP Public Outreach team as comments to the EIR/EIS.

If you have any questions or comments, you may contact Ms. Delia Grijalva via telephone at (916) 657-4400 or email at Delia.Grijalva@water.ca.gov.

Mr. Sheldon G. Moore
April 22, 2014
Page 3

Sincerely,



Allan Davis
Supervising Land Agent

Enclosures:

Your Questions Answered
BDCP Fast Facts
BDCP EIR/EIS Fast Facts
BDCP Executive Summary
BDCP Draft EIR/EIS Executive Summary
BDCP Highlights
BDCP EIR/EIS Highlights

Mr. Sheldon G. Moore
April 22, 2014
Page 4

bcc w/ Attachments
Delia Grijalva
Michelle Morrow
Chuck Gardner
Cassandra Enos
Shay Humphries

bcc w/o Attachments
Gordon Enas
Bill Harrell

Sheldon G. Moore
1584 Summerhill Lane
Lincoln, CA 95648
916-408-3676

May 5, 2014

Mr. Allan Davis
Department of Water Resources
1416 Ninth Street, P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Davis,

Thank you for the BDCP enclosures and your letter of April 22, 2014 which was in response to a conversation I had with Delia Grijalva regarding concerns I had with the BDCP. Our property, Clifton Court, L.P. is the private property that lies between the Federal Delta Mendota Canal intake and the State of California Water Facilities on Old River. This property is approximately 600 acres in size. Clifton Court, L.P. is severely negatively impacted by all the water plans and water export operations in the Western Delta. We have owned and operated our property since the early 1960's and have been subject to enormous damage.

I have never seen an EIR on the 1950's Federal Water Project or the 1960's-70's California Water Project. Yet, according to the BDCP Public Draft (4.2.1.2.1), the gates on the Clifton Court Forebay will still be operated with an intake of up to 15,000 cfs. Your EIR is bogus because it does not address the many harms currently caused by diverting water via gravity (up to 15,000 csf) at the adjacent sites on Old River. The current State and Federal systems have cost us well over \$1,500,000 in damages over the years. In fact, Mr. Davis, in 2012, you told us that we could get our damage expenses for that year reimbursed by the State if we submitted the Government Claims Form that you gave us. When we submitted the form, we were sent to the Victim's Compensation Board. At that hearing, we were told that we would have to sue the State to get compensation for our damages. We are very concerned about our yearly damages from State and Federal pumping continuing under the disguise of the BDCP. We want damages to cease and payment for the ongoing damage.

Next I asked about water removal from the Sacramento River. I asked how the 9,000 cfs and 15,000 cfs figures were obtained. You have yet to tell me exactly who decided on these amounts of water. Meanwhile we have seen the adverse effect of the water removal. I also asked when water could be taken from the Delta because as of April 25, 2014 the gates to Clifton Court Forebay were still open despite its being a very serious drought year. If the State can't be trusted to close the gates during a drought, when can the State be trusted?

Next I had gravity flow vs. pumping questions. It is clear that DWR does not understand the difference between gravity flow and pumping. Before the State and Federal pumping began, we used gravity pumping. Gravity water can be moved through a pipe, syphon or weir. Water flows by gravity. The energy cost is zero. The equipment used in our case was a 30 inch pipe with a cast iron Waterman Gate to control the flow. There was almost no maintenance cost. Once water export began, we were forced to put in pumps. Pumps are expensive and require constant maintenance. The energy to run the pumps has become very expensive, increasing

between 25 to 50 times the costs of over 50 years ago. Pump repair costs have also increased at least 10 times.

The pumping operation at the State and Federal facilities has lowered water levels, increase water velocity and brought silt, dirt, and trash into our pumps which causes rapid wear and destruction. Moreover, our pumps are destroyed when the water level suddenly drops due to trash on the trash racks. Therefore a drop in water level can cause a repair around \$25,000 and up to a 3 week delay in irrigation. In short, silt, trash, and dirt brought into the pumping area by the massive water export flows cost us dearly. I request a direct meeting as soon as possible with someone who can address and solve our pumping problems caused by silt, dirt, and trash from the water projects. Furthermore, we would like compensation for all of the pumping costs that were forced upon us due to the water projects.

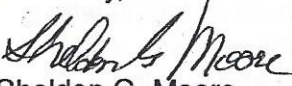
Then I asked where the State deposited the sediment that it dredged from Clifton Court Forebay in past years? I asked how much the dredging and barging cost? Clearly you did not hear my question, as you told me DWR is exploring various alternatives. I'm not talking about the future; I wish to know what past dredging has cost. Again I would like this public information at your earliest convenience.

The State seems to indicate that rip rap applied to levees to prevent erosion is a major ecological disaster. Prior to the exporting of mass amounts of water from the Delta, I maintained our levee banks without rock. These banks have no Peat soil. Since the State and Federal governments began pumping, I have had to re-rock three times. The last time our levees leaked in the 1990's, I applied rip-rap. Two years later I received an engineering bill from the State for \$5,000 for the application of rip-rap. Clearly the government knew the damage the pumping caused our farm yet no one offered to pay for the damages, they simply sent another bill.

The Federal government rip-rapped their levees after they started pumping large amounts of water. The State built the Clifton Court Forebay using Concrete Treated Base on the inner side of the levee. They have now rocked both inner and outer sides of their levees. Unfortunately, the bottom of the Forebay leaks. The first year the Forebay was filled, I was unable to farm because of the seepage. I was forced to put in an expensive tile drainage system complete with pumps that pump that seepage back into the Forebay. Those drainage tiles are now over 45 years old and need to be replaced. Seepage from the Forebay is another expensive problem that needs to be fixed.

I wish to get the problems caused by water export fixed and Clifton Court, L.P. compensated for all the adverse complications it has endured over the years. Despite many letters, meetings, (Carl Torgensen, Sue Sims, Chuck Gardner) and assurances, we have never been compensated or had our problems solved. Perhaps the Victims Compensation Board gave the best advice -- sue the State. Is this how the BDCP will work as well? Until the State fixes past problems, I have no faith in the BDCP.

Sincerely,


Sheldon G. Moore

cc: Carl Torgensen, Chuck Gardner, Sue Sims

Sheldon G. Moore
1584 Summerhill Lane
Lincoln, CA 95648
916-408-3676

May 7, 2014

BDCP Comments

Ryan Wulff, National Marine Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff,

When I tried to call the BDCP with my concerns, I received a call from Delia Grijalva and then a letter from Allan Davis. I don't feel my concerns were understood. I want to insure that my comments are a part of the public record. Our property, Clifton Court, L.P. is the private property that lies between the Federal Delta Mendota Canal intake and the State of California Water Facilities on Old River. This property is approximately 600 acres in size. Clifton Court, L.P. is severely negatively impacted by all the water plans and water export operations in the Western Delta. We have owned and operated our property since the early 1960's and have been subject to enormous damage.

I have never seen an EIR on the 1950's Federal Water Project or the 1960's-70's California Water Project. Yet, according to the BDCP Public Draft (4.2.1.2.1), the gates on the Clifton Court Forebay will still be operated with an intake of up to 15,000 cfs. Your EIR is bogus because it does not address the many harms currently caused by diverting water via gravity (up to 15,000 cfs) at the adjacent sites on Old River. The current State and Federal systems have cost us well over \$1,500,000 in damages over the years. In fact, Mr. Davis, in 2012, you told us that we could get our damage expenses for that year reimbursed by the State if we submitted the Government Claims Form that you gave us. When we submitted the form, we were sent to the Victim's Compensation Board. At that hearing, we were told that we would have to sue the State to get compensation for our damages. We are very concerned about our yearly damages from State and Federal pumping continuing under the disguise of the BDCP. We want damages to cease and payment for the ongoing damage.

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Sincerely,



Sheldon G. Moore

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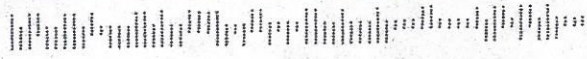


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Mr. Moore
1584 Summerhill Lane
Lincoln, CA 95648

05/03



DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



June 11, 2014

Mr. Sheldon G. Moore
Clifton Court, LP
1584 Summerhill Lane
Lincoln, California 95648

Dear Mr. Moore:

Thank you for your letter of May 5, 2014 clarifying some of your concerns identified in the Department of Water Resources (DWR) letter to you dated April 22, 2014. DWR is committed to addressing and responding to your concerns.

EIR/EIS

When the State Water Project was conceived beginning in the 1950's with construction and continuing through the 1970's, environmental impact reports and/or statements were not required. The National Environmental Protection Act (NEPA) was implemented and signed in January 1970 followed by the California Environmental Quality Act (CEQA) sometime later that same year. These acts required completion of an EIR or EIS for most construction activities. NEPA establishes national environmental policy and goals for the protection, maintenance, and enhancement of the environment and provides a process for implementing these goals within the federal agencies. It also established the Council on Environmental Quality (CEQ). The California Environmental Quality Act (CEQA) is a California statute passed in 1970 shortly after the United States federal government passed NEPA, to institute a state wide policy of environmental protection. CEQA does not directly regulate land uses, but instead requires state and local agencies within California to follow a protocol of analysis and public disclosure of environmental impacts of proposed projects and adopt all feasible measures to mitigate those impacts. CEQA makes environmental protection a mandatory part of every California state and local agency's decision making process. It has also become the basis for numerous lawsuits concerning public and private projects.

Funding for State Water Project

The Burns-Porter Act of 1959 provided \$1.75 billion of initial funding for the State Water Project through a bond measure.

Operational Flows

As to your comments regarding the operational flows, you are accurate with your statement regarding the operation flows of 15,000 cfs at Clifton Court identified in Chapter 4 of the draft BDCP. Since the proposed plan requires Clifton Court to be separated into two forebays, one forebay will be operated under its current operational criteria (15000 cfs) with the second forebay adhering to the proposed criteria of 9,000 cfs. For your convenience, please see several excerpts below that I located that discuss Clifton Court, diversions, and operations.

Mr. Sheldon G. Moore
June 11, 2014
Page 2

BDCP Section 4.2.1 (page 4.8)

The existing Clifton Court Forebay (Figure 4-9) will be expanded to the south, and dredged, to provide additional storage capacity. New embankments will be constructed around the interior of the forebay and an embankment will be constructed across the middle of the forebay to create separated north and south cells. The north cell will receive water pumped from the north Delta through the proposed intakes and conveyance facilities, while the south cell will receive water conveyed through the existing through-Delta system.

BDCP Section 3.4.1.4.1. (page 3.4-12)

The new north Delta diversion facilities will consist of three separate intake units with a total, combined intake capacity not exceeding 9,000 cfs.

Draft EIR/EIS Section 3.5.1 (page 3-42)

Under the No Action Alternative, DWR and Reclamation would continue to operate the SWP and the CVP, respectively, to divert, store, and convey SWP and CVP water consistent with applicable laws and contractual obligations. The SWP and the CVP are major water storage and delivery systems that divert water from the southern portion of the Delta. The SWP and CVP both include major reservoirs upstream of the Delta and transport water via natural watercourses and canal systems to areas south and west of the Delta. The CVP also includes facilities and operations on the Stanislaus and San Joaquin Rivers.

Operational Criteria

Regarding the operational criteria (15,000 cfs vs 9,000 cfs), the original operational criterion for the SWP was identified at 15,000 cfs with the State currently operating the SWP facilities year round by delivering water to 25 million constituents. After receiving numerous public comments and input, largely in response to the potential impacts to Delta communities, and through a collaborative process was addressed in the press release entitled "Governor Brown and Obama Administration Outline Path Forward for Bay Delta Conservation Plan" (copy attached). Also this issue was reaffirmed in the News for Immediate Release Dated August 15, 2013 (copy attached). Also, for your convenience, I have also attached a copy of the BDCP Refinements Respond to Community and Statewide Needs.

Clifton Court forebay dredging

Based on conversations with DWR's Division of Operations and Maintenance, Clifton Court forebay was last dredged in 1992. The dredging project included the construction of Twitchell Island levees as well as the dredging of Clifton Court forebay. The total project costs was approximately \$14 million dollars with approximately \$8 million dollars attributed to the dredging of Clifton Court forebay.

Mr. Sheldon G. Moore
June 11, 2014
Page 3

If you have any questions please contact me at (916) 952-2779, or by email at Allan.Davis@water.ca.gov.

Sincerely



Allan Davis,
Supervising Land Agent

Enclosures

“Governor Brown and Obama Administration Outline Path Forward for Bay Delta Conservation Plan”
News for Immediate Release Dated August 15, 2013
BDCP Refinements Respond to Community and Statewide Needs

BDCP Refinements Respond to Community and Statewide Needs

August 2013

Proposed refinements have been developed to address comments and concerns gathered throughout the BDCP planning process.

Over 7 years, hundreds of public meetings, and ongoing coordination with stakeholders, a comprehensive plan to address the ecosystem and water supply challenges in the Sacramento-San Joaquin Delta has taken shape. The Bay Delta Conservation Plan (BDCP) has continued to evolve since the enactment of the 2009 Delta Reform Act. The water facility and conveyance operations proposed as part of the BDCP have changed significantly in ways that reduce disruption and disturbance in the Delta. Changes previously announced include:

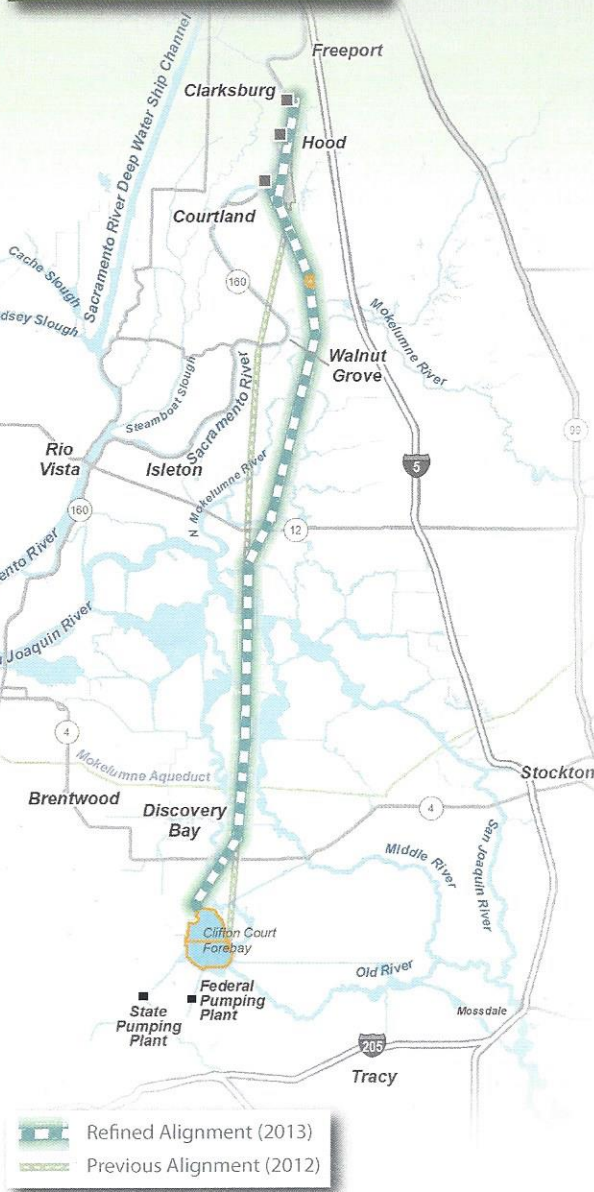
- Underground tunnels, instead of a surface canal, could be used for water transport.
- The number of new Sacramento River intakes has been reduced from five to three, and capacity has decreased from 15,000 cubic feet per second (cfs) to 9,000 cfs.

Newly proposed changes include:

- A shift of construction activities associated with intermediate forebay and reusable tunnel material area away from north Delta communities.
- A shift of some permanent and temporary construction impacts from private to public lands.
- A shrinking of the intermediate forebay surface acreage from 750 acres to 40 acres.
- A reduction in the number of main tunnel shaft locations from seven to five.
- Shortening of the main tunnel length from 35 miles to approximately 30 miles.
- A reduction in the amount of private land subject to permanent and temporary impacts due to construction of water conveyance infrastructure.

These project refinements balance costs, engineering design, and ease of construction while minimizing local dislocation and disturbance.

Efforts will continue to ensure that the project is developed under the best management practices possible, and with the most current science available. The plan seeks to achieve the co-equal goals of a more reliable water supply for California and enhancement of the Delta ecosystem, while also preserving the unique communities and agricultural productivity of the Delta.



No final decisions on the BDCP can be made prior to the completion of environmental review and public input. The elements described here have been identified for the purpose of further analysis pursuant to the California Environmental Quality Act, the National Environmental Policy Act, the Endangered Species Act, the Natural Community Conservation Planning Act, and other applicable statutes.

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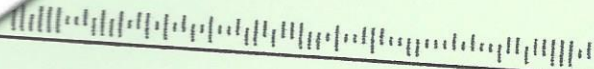
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Sheldon G. Moore
1584 Summerhill Lane
Lincoln, CA 95648

July 17, 2014

BDCP Comments
Ryan Wulff, NMFC
650 Capitol Mall, Suite5-100
Sacramento, CA 95814

Dear Sir:

The problem the Bay Delta Conservation Plan proposes to solve can only be solved with a complete Environmental Impact Study of all the water exported from the California Delta. It is incredible that a project of this magnitude could progress to this date without an EIR or EIS. This is one of the biggest water projects in the history of the earth with no impact study or recognition of the adverse effects of the existing State Water Project which will continue to be used. The wordy BDCP contains some 450 Mbs of data but few facts that are educational in nature.

What is the effect of taking even 1000 cfs (cubic feet per second) from one point in the Delta and exporting it? One thousand cubic feet per second equals 448,800 gallons a minute. People stating flows of 8,000 to 15,000 cfs do not appear to realize that 15,000 cfs would be a wall of water 20 feet high and 750 feet wide, passing at one foot per second, 6,732,000 gallons a minute. This deluge of water will negatively affect the Delta and yet the fact is not addressed.

I farmed the property between the SWP intake and the Delta Mendota Canal intake for fifty years and I continue to be harmed by both projects. The State of California and the Federal government have ignored my letters that ask them to stop damaging our property and compensate us completely. They continue to ignore us and act like neighborhood bullies. This damage is real and continuing. Why can these agencies be so dishonest in dealing with physical facts like levee repairs, pump repairs, and even rodent damage.

When the Delta Mendota pumps were first started in the 1950's, there were no fish or trash screens. All the syphons on Clifton Court Tract became inoperative. The fish screens that were built as a result and are in place today have openings approximately one inch wide and six inches long. Any large scale water diversion destroys the fish. If we truly wish to save the Delta Smelt, these screens must be changed.

A long term study of California weather is another must for the EIR. Droughts are a part of our history long before California was a state or the United States was even a country. Water that doesn't exist can't be shared.

Finally we need to look at the power used to pump water hundreds of miles. Almost one half of the power required for the SWP is fossil fuel generated. Coal is a part of that fuel. The EIR/EIS needs to address the pollution caused by pumping billions of gallons of water south each day.

It is time to take politics out of water. We need honest facts and figures for problem solutions. A complete Environmental Impact Study must be done now on what is known today as the

California State and Federal Water projects. When the environmental effects of diversions of 1000 cfs to 15,000 cfs are known, then solutions can follow.

Sincerely,

Sheldon G. Moore

July 17, 2014

BDCP Comments
Ryan Wulf, MFC
850 Capitol Mall, Suite 2-100
Sacramento, CA 95814

Dear Sir,

The problem the Bay Delta Conservation Plan proposes to solve can only be solved with a complete Environmental Impact Study of all the water exported from the California Delta. It is incredible that a project of this magnitude could proceed to this state without an EIR or EIS. This is one of the biggest water projects in the history of the earth with no impact study or recognition of the adverse effects of the existing State Water Project which will continue to be used. The way BDCP contains some 450 Mbs of data but few facts that are educational in nature.

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Suzanne Womack
Clifton Court, L.P.
3619 Land Park Drive
Sacramento, CA 95818
December 14, 2015

Carl Torgersen
Department of Water Resources
1416 Ninth Street, P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Torgersen,

Our farm, Clifton Court, L.P., continues to have significant negligence issues with the Department of Water Resources (DWR) at the Clifton Court Forebay (CCF). In your December 14, 2012 letter, you assured me that DWR shared our concerns regarding trespassers and vandalism. You promised that DWR would perform twice daily security patrols around CCF. You stated that DWR would perform weekly checks of the gate and fences and make repairs as timely as possible. You gave me a contact person, Joel Ledesma (209) 833-2021, and said that DWR would notify us of any changes to this contact person.

Imagine my dismay when I took my new tenant farmer, Mark Bachetti, around our farm on Wednesday, December 2, 2015. In several places large portions of the fence were missing. One major hole had a well-worn trail leading to the road around the Forebay. Most of the fence could not be viewed from the State side due to massive blackberry bushes and weeds. (There were no weeds or berry bushes when the Forebay perimeter fence was installed.) Clearly no one has walked the fence on the State side in a very long time. As I drove off I ran into two fishermen just as they were finishing the half mile walk across our farm. I informed them they were trespassing.

On Thursday, December 3rd, I called Joel Ledesma. I was told he no longer worked in Byron. I briefly outlined my problems and asked to speak to the director. I was told Diana Gillis was the person in charge, but she was in meetings.

The next morning, December 4th at 7:10 AM, I received a call from Amber, calling on Diana Gillis's behalf. The woman was clueless. She told me that fishermen had the right to fish at Clifton Court Forebay. She didn't know where my farm was at Clifton Court. I asked that SWP remove the mess of blackberry bushes and weeds so that they could patrol the fence properly. She informed me that the bushes were protected and couldn't just be removed without a permit. When she told me that she would walk the fence, I laughed. She got mad and said I would have to talk to the director. I called the number she gave me for the director. I was told she was on another line. No one called back Friday.

Monday morning I had a lovely conversation with Diana Gillis. She informed me that she was new, but she wanted to work with me. She told me that the fences had been repaired Friday, December 4th. I told her that, in fact, none of the holes we saw had been repaired. I emailed her the pictures I took Sunday, December 6th.

1. Notify us of changes in personnel who deal with our farm.
2. Patrol 2X daily. You'll need to remove all weeds and bushes to actually see the fence.
3. Check all fences and gates weekly. This must be done by walking the fence. Again you will have to remove all weeds and bushes to walk the fence.
4. Repair all fences in a timely manner.
5. Get rid of all the rodents that live on your side of the fence. (Amber told me DWR can only use bait in September.)

In addition, due to upgrades in technology, I ask that DWR install cameras along our fence line. Clearly your patrols are ineffective. Diana Gillis was concerned that the cameras would be vandalized. Welcome to my world. At least if the cameras were damaged you would instantly be aware of trespassing problems.

Next we have a real problem of erosion of our levee banks by your pumping of up to 10,000 cfs. Clifton Court, L.P. pumps less than 7 cfs. Your pumping reverses the river flow and wrecks our levees. We ask that you fix and maintain our levees that you destroy.

Finally, we have the unfortunate matter of reparations. In 2011, we spent well over \$30,000 correcting damage done by squirrels that overran our farm. At the California Water Commission meeting, we asked Sue Sims, Executive Officer, California Water Commission, to pay this bill. Allan Davis gave us a form and he assured Sue that we would be taken care of. In June 2011 we received notice that we would have to sue the State to "resolve" the issue. We ask that SWP pay for any vandalism done to our pumps and control panels and any damage caused by squirrel infestation. This is just one of many outstanding bills we have with the SWP. We are tired of being bullied by the State. We believe SWP should pay for all the real damages it causes.

Basically, DWR runs an attractive nuisance at Clifton Court Forebay. No fishermen would walk over a half mile across our property unless they knew that the State didn't really enforce their "No Trespassing" signs. Before the Forebay, our farm was free of trespassers and squirrels. We didn't spend thousands of dollars fixing pumps, control panels, and damage done by squirrels.

Simple protocols are in place for the care and maintenance of the Clifton Court Forebay. The State pays people to patrol, maintain fences, and control vegetation. We need the people who are paid to actually do their job. We have nearly 50 years of broken promises. As Deputy Director of DWR, your promises should have meaning.

Sincerely,

Suzanne Womack
General Partner
Clifton Court, L.P.

Enclosures: 8 photos

12/14/12 letter from C. Torgersen
6/20/12 rejection letter from Government Claims Program
Form Allan Davis gave us 2011

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Carl Torgersen - DWK
1416 Ninth St.
Sacramento, CA
94236**



9590 9403 0537 5173 5196 38

2. Article Number (Transfer from service label)

7014 2120 0001 0838 6432

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X **Carl Torgersen**

- Agent
- Addressee

B. Received by (Printed Name)

Carl Torgersen

C. Date of Delivery

12-26-15

D. Is delivery address different from item 1? Yes

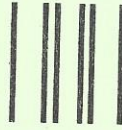
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
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• Sender: Please print your name, address, and ZIP+4® in this box•

Suzanne Womack
3619 Land Park Dr.
Sacramento, CA 95818

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