

Clifton Court, L.P.  
3619 Land Park Drive  
Sacramento, Ca 95818

September 28, 2016

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

Dear Chair Doduc & Officer Marcus,

Re: Response to California Department of Water Resources Objections to Clifton Court, LP, Written Testimony & Exhibits in Support of Part 1 B Case in Chief

Thank you for allowing everyday people to present case-in-chiefs at your hearing. The California Department of Water Resources (DWR) and the United States Bureau of Reclamation (Reclamation) claim their request for a change in point of diversion will cause no injuries to legal users of water. In their objections to our case-in-chief, DWR makes vague references to strike or exclude some of our testimony and evidence/exhibits. When they presented their case, the hearing officers ruled that protestant objections would not be considered until the petitioners presented their case. We ask that the same due process and courtesy be observed for DWR's objections to our case-in-chief.

Next, DWR says that our "claims of past impact...is not relevant to the Petitioned Project". However, in their testimony, DWR and Reclamation claim that landowners with diversion points that will have to be moved for the three new CWF water diversions will be "made whole". Since our Clifton Court, L.P. water diversion points were moved first for the CVP and then for the SWP, we have firsthand evidence of how DWR and Reclamation "make whole". Our evidence supports our ongoing injuries and clearly illustrates that in fact DWR and Reclamation do not make landowners whole when they move their diversion points. DWR's and Reclamation's actions of not paying for injuries they cause, whether deliberate or through ineptness, places an undue burden on senior water right property owners and cause real injuries. Our last tenant farmer went out of business. It was difficult to find another tenant. The deliberate action of not paying for damages/injuries can cause even senior water right holders to go out of business. Surely this is not DWR's and Reclamation's intent!

Finally, DWR says that our "testimony indicates the CCLP land will be taken through condemnation by DWR for the South Clifton Court Forebay (SCCF), a facility planned for the Petitioned Project." The petitioners' case-in-chief shows our land used for the SCCF. We can only guess how CWF will take our property. Our property is only taken for the SCCF if the CWF's three new water diversions are granted. Why did the petitioners go to all the trouble of

including the SCCF in their Overview, Engineering, Operations, and SWP Water Rights Panels if "this evidence is not relevant to this Hearing"?

We look forward to presenting our entire case-in-chief at the Hearing. Loss of any of our water rights that are licensed, pre-1914 (1870's), and riparian rights would cause injury to Clifton Court, L.P.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Womack". The signature is written in black ink and is positioned above the typed name.

Suzanne Womack

General Partner, Clifton Court, L.P.

**STATEMENT OF SERVICE**

**CALIFORNIA WATERFIX PETITION HEARING  
Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)**

I hereby certify that I have this day submitted to the State Water Resources Control Board and caused a true and correct copy of the following document(s):

Response to California Department of Water Resources Objections to Clifton Court,  
LP, Written Testimony & Exhibits in Support of Part 1 B Case in Chief

to be served by **Electronic Mail** (email) upon the parties listed in Table 1 of the **Current Service List** for the California WaterFix Petition Hearing, dated Sept. 29, 2016, posted by the State Water Resources Control Board at

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/service\\_list.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml):

*Note: In the event that any emails to any parties on the Current Service List are undeliverable, you must attempt to effectuate service using another method of service, if necessary, and submit another statement of service that describes any changes to the date and method of service for those parties.*

**For Petitioners Only:**

I caused a true and correct **hard copy** of the document(s) to be served by the following method of service to Suzanne Womack & Sheldon Moore, Clifton Court, L.P., 3619 Land Park Drive, Sacramento, CA 95818:

Method of Service: N/A

I certify that the foregoing is true and correct and that this document was executed on 9/29/16  
Date

Signature: Suzanne Womack

Name: Suzanne Womack

Title: general Partner

Party/Affiliation: Clifton Court, L.P.

Address: 3619 Land Park Dr,  
Sacramento, CA 95818