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10
11 **BEFORE THE STATE OF CALIFORNIA**
12 **STATE WATER RESOURCES CONTROL BOARD**

13 **IN THE MATTER OF**
14 **ADMINISTRATIVE CIVIL**
15 **LIABILITY COMPLAINT ISSUED**
16 **AGAINST G. SCOTT FAHEY AND**
17 **SUGAR PINE SPRING WATER, LP**

18 **DECLARATION OF GLEN HANSEN IN**
19 **SUPPORT OF FAHEY'S OPPOSITION TO**
20 **PROSECUTION TEAM'S MOTION TO**
21 **STRIKE, MOTION IN LIMINE**

22 I, Glen Hansen, declare:

23 1. I am a Senior Counsel in the law firm of Abbott & Kindermann, LLP, counsel of
24 record for G. Scott Fahey and Sugar Pine Spring Water, LP in the above-entitled proceeding.

25 2. A true and correct copy of the Raker Act of December 19, 1913 [63 P.L. 41; 38
26 Stat. 242], is attached to this declaration as **Exhibit 77**.

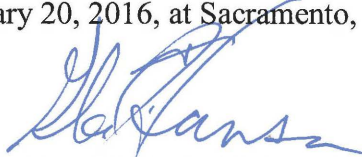
27 3. A true and correct copy of a memorandum by water law expert Stuart L. Somach
28 to Environmental Defense, dated July 2004 ("Somach Memorandum"), which was presented to
the State Water Resources Control Board ("Board") on March 25, 2013 on pages 29 of 154
through page 65 of 154 of a larger document entitled "Comments of Restore Hetch Hetchy on the
State Water Resources Control Board's Lower San Joaquin River Draft Substitute Environmental
Document (SED): Potential Changes To The Water Quality Control Plan For The San Francisco
Bay-Sacramento/San Joaquin Delta Estuary: San Joaquin River Flows And Southern Delta Water
Quality," is attached to this declaration as **Exhibit 78**. I obtained the Somach Memorandum from
the Board's website at [http://www.waterboards.ca.gov/waterrights/water_issues/programs/
hearings/baydelta_pdsed/docs/comments032913/spreck_rosekrans.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/baydelta_pdsed/docs/comments032913/spreck_rosekrans.pdf).

1 4. A true and correct copy of the Fourth Agreement Between The City And County
2 Of San Francisco And The Turlock Irrigation District And The Modesto Irrigation District, dated
3 June 1966 (“Fourth Agreement”), is attached to this declaration as **Exhibit 79**. I obtained a copy
4 of the Fourth Agreement from the website for the San Joaquin Tributaries Settlement Process at
5 http://www.sjtsp.org/resources/documents/reference_materials/FOURTH_AGREEMENT.pdf .

6 5. A true and correct copy of a letter from Jonathan P. Knapp, Deputy City Attorney
7 for the City and County of San Francisco, to the Board, dated June 27, 2014, and received by the
8 Board on June 27, 2014 (“City Attorney Letter”), is attached to this declaration as **Exhibit. 80**. I
9 obtained a copy of the City Attorney Letter from the Board’s website at [http://www.waterboards.
10 ca.gov/waterrights/water_issues/programs/hearings/baydelta_pdsed/docs/comments032913/sprec
11 k_rosekrans.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/baydelta_pdsed/docs/comments032913/spreck_rosekrans.pdf).

12 6. A true and correct copy of Board’s December 2012 “*Evaluation of San Joaquin*
13 *River Flow and Southern Delta Water Quality Objectives and Implementation*,” which is part of
14 the “Draft Substitute Environmental Document in Support of Potential Changes to the Water
15 Quality Control Plan for the Bay-Delta: San Joaquin River Flows And Southern Delta Water
16 Quality” (“2012 Board Evaluation”), is attached to this declaration as **Exhibit 81**. I obtained a
17 copy of the 2012 Board Evaluation from the Board’s websites at
18 [http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/wat
19 er_quality_control_planning/2012_sed/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/2012_sed/) ,
20 [http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/wat
21 er_quality_control_planning/2012_sed/docs/2012_title.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/2012_sed/docs/2012_title.pdf) ,
22 [http://www.waterboards.ca.gov/waterrights/water_issues/programs/
23 bay_delta/bay_delta_plan/water_quality_control_planning/2012_sed/docs/2012ch_05.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/2012_sed/docs/2012ch_05.pdf) ,

24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct. Executed on January 20, 2016, at Sacramento, California.

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Glen Hansen