

<b>Resort location:</b>	<b>Web site:</b>	
Snug Harbor Resorts, LLC 3356 Snug Harbor Drive (On Ryer Island) Walnut Grove, CA 95690	<a href="http://www.snugharbor.net">http://www.snugharbor.net</a>	
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June 11, 2016 **(Corrected)**

Hearing Chair Tam Doduc

Hearing Officer Felicia Marcus (Chairperson, Waterboard)

State Water Resources Control Board

Sacramento, CA 95812-0100

[CWFhearing@waterboards.ca.gov](mailto:CWFhearing@waterboards.ca.gov) (via email)

Re: Request for Sixty (60) Day extension of time to file objections to Petitioners Exhibits, and request for additional information withheld from the public by Petitioners:

Dear Hearing Chair Doduc and Hearing Officer Marcus,

I concur with the request by California Water Research and Pacific Coast Federation of Fishermen’s Association for an extension of 60 days for time to review the evidence submitted by Petitioners. Preliminary review of baseline data already uploaded by Petitioners indicates use of false or outdated data, along with major omissions of evidence regarding impacts that were previously disclosed to North Delta landowners in the BDCP when the same project was labeled “twin tunnels”. I specifically request that Petitioners be directed to disclose the baseline data used for DSM2 modeling, and provide that data in a common format such as excel, cvs and open-source gis. My request for 60 day extension is based on a belief *that all parties would benefit from use of accurate and current baseline data*. I do not think even Petitioners would argue with the need for use of accurate and current baseline data. I provide five specific data clarification requests below, all of which would affect outcome modeling for WaterFix proposal, each of which should be addressed and data provided by Petitioners prior to initiation of hearing:

1. What flow period(s) does the DSM2 use for flow data, what are the names of the persons who provided that baseline flow data, and what are the names of the persons who determined what bathymetry sections should be used for each location on Steamboat and Sutter Sloughs? Please provide documentation which clarifies why those specific cross-sections locations were designated and why were the flow barriers ignored or if not ignored, why were they not documented in written update data for DSM2? What are the names of the persons who reviewed the updated DSM2 recalibration and when was their review conducted?

2. Which version of Delta Inflows, Exports and Outflow was used for WaterFix computer modeling for CalSimII and DSM2? What is the specific date of inflow and export data for 2000 to 2010 used for computer modeling for WaterFix? Please direct Petitioners to provide a clear and current table showing this basic baseline data, since DWR data for the same years has been shown to change often. Please also direct DWR and USBR to provide an updated table showing Delta Inflow, Outflow and Exports through to 2015, or the most current verified data available.

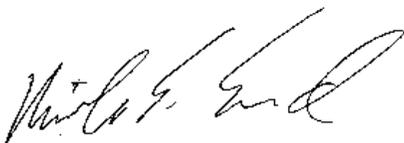
3. Petitioners refer to DRMS Phase 1 2007 technical data and fail to acknowledge the corrections to that study posted by DWR in December 2009. Please direct Petitioners to recalibrate their data using corrected DRMS Phase 1 data if applicable, at least with reference to impacts to Ryer Island.

4. Petitioners fail to disclose negative impact modeling and reports generated in the BDCP process. Please require Petitioners to disclose all known computer modeling related to North Delta land and waterway impacts as presented by Karla Nemeth at BDCP meeting notes previously found at <http://baydeltaconservationplan.com/lists/calendar/attachments/112/6.17.10 SC Presentation Modeling Update.pdf> If that link is not working, see example of one of the presentation slides provided by Karla Nemeth for DRW: [http://snugharbor.net/images2011/deltastuff/ss-reduce\\_flow.JPG](http://snugharbor.net/images2011/deltastuff/ss-reduce_flow.JPG)

5. Petitioners claim to be simply asking for a change in the points of diversion without actually disclosing the sources of the water rights, water transfers and dates such water rights and transfers were acquired and approved by Waterboards. I am requesting a complete disclosure by Petitioners DWR and USBR of any and all water transfers and water rights pending that would verify Petitioners have a right to claim 3000 cfs of flow from the Sacramento River in the North Delta, let alone 9000 cfs. The issue is not HOW the water is transferred but HOW MUCH water is transferred. Note that Petitioners claim to be operating under laws that allow for only "surplus" water to be diverted. Petitioners have not established "surplus" water exists based on the documents provided so far online by Petitioners.

On the pages attached below, as proof of need for accurate baseline data use, I provide more detail of the issues that are listed above that should be addressed prior to hearing initiation. In conclusion, please very thoughtfully consider the request for extension of 60 days to submit objections to Proponents evidence, or failure to disclose evidence. The time of the Waterboard commissioners and staff is valuable. Ms. DuDoc, as a trained Civil Engineer, do you want to spend your time listening to testimony regarding flows that can be shown to be incorrect due to incorrect baseline data handed to the computer modelers? Ms. Marcus, as an attorney and long term public servant, do you feel it is appropriate for the state, federal agencies, attorneys representing both Petitioners and Protestors, to move forward with the expense of a hearing when there are known failure-to-disclose issues, and known data flaws in the principal case of Petitioners? Your time is valuable. Our time is valuable. In the interest of promoting full disclosure by Petitioners, and full opportunity for rebuttal by Protestants, please grant 60 day extension for all matters in this proceeding.

You have a hard and thankless job. Respectfully submitted,



Nicole S. Suard, Esq. Managing Member, Snug Harbor Resorts, LLC  
(Snug Harbor Resorts, LLC is a fully permitted marina and RV/MH park located on a peninsula off Ryer Island, on Steamboat Slough, and we have been experiencing the negative impacts of CalFed/BDCP WaterFix experiments on Steamboat and Sutter Slough since 2004.)

Attachments and CC to all parties per ListServe dated June 9, 2016 found at [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/docs/060916revsrvt.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/docs/060916revsrvt.pdf)

Detailed description of information needed, why, and evidence of withheld material information:

- 1. Use of computer model that does not correctly represent North Delta flows and bathymetry:** Biological Assessment for the California WaterFix, page 5-99, dated January 2016, section 5.4.1.3.1.2.1.1 titled "Channel Velocity (DSM2-HYDRO)" states "*Delta channel flows have considerable importance for downstream migrating juvenile salmonids, as shown by studies in which through-Delta survival of Chinook salmon smolts positively correlated with flow (Newman 2003, Perry 2010) ...*" Since DSM2 was not modeled to include the subsurface flow and salmon-migration barriers currently physically located on Sutter Slough just below the confluence with Miner Slough, or the one at the head of Steamboat Slough just east of the Steamboat Slough bridge, the salmon migration studies did not account for impacts from flow diversions and therefore salmon migration diversions as well. If scientists conducting the Delta migration studies were aware of the flow barriers, why were they not noted in the studies? It appears that important flow and migration information has been withheld from the reviewers and from the public, and I request that the DWR/USBR documentation regarding the subsurface flow barriers be disclosed to all parties. Note that DWR representative Paul Marshall did supply me with a series of bathymetry graphics for the Steamboat Slough flow barrier; however, that same bathymetry data was *not* used for the update of DSM2 channel depths for some unexplained reason, as documented in the WaterFix modeling data uploaded by Petitioners. For reference of locations use the below attached maps. I request that the installation history, purpose of flow barriers, and any reports related to the structures be included in the modeling data for DMS2-HYDRO and for an update report on the influence or impact on previous salmon migration studies where flow and salmon migration barriers were present but not disclosed to the scientists conducting the studies. See attached sample bathymetry provided by Paul Marshall from DWR in 2014.
- 2. Potential (possibly accidental) use of inaccurate flow and export data by Petitioners:** According to WaterFix Petitioners, computer modeling was based on an update of CalSim and CalSimII, which was conducted to include the flow data from CDEC for the time period of 2000 to 2010, and thereafter. However, DWR has posted online and provided to the public several versions of flow data for that same time period which are substantially different, and it is unclear if the computer modelers are using the correct flow data or one of the previous DWR summaries. Attached are exact screen prints from the 2013 California Water Plan FINAL table of inflows, outflows and exports and also a screen print from the first revision to that table. [http://www.snugharbor.net/images-2014/bdcp/flows/unaccounted\\_diversions.pdf](http://www.snugharbor.net/images-2014/bdcp/flows/unaccounted_diversions.pdf) You will see that the numbers continue to change, right during the timeframe when CALSIMII and BDCP/WaterFix modeling was being updated. DWR should be required to clearly state what baseline flow numbers are used, from where, who and what date the baseline numbers were received so that it can be determined if in fact WaterFix modelers are using corrected flow data or substantially flawed flow data. See screen prints attached. I am asking for 60 day extension so that *Petitioners* will have sufficient time to verify their own data integrity, and so that Protestors will have sufficient opportunity to review baseline flow data from Petitioners once Petitioners provide that baseline flow data. Please see screen prints attached showing the original baseline and flow data provided by DWR, since that one was removed by DWR without errata sheet and replaced with several different versions and numbers over the last several years.
- 3. Petitioner's Use of false baseline data for impact modeling and conclusions:** It appears Petitioners use false data from DRMS Phase 1 technical data with respect to Ryer Island. As Petitioners know, the technical baseline data from DRMS Phase 1 was developed between 2004-2006 and then distributed to the public without quality

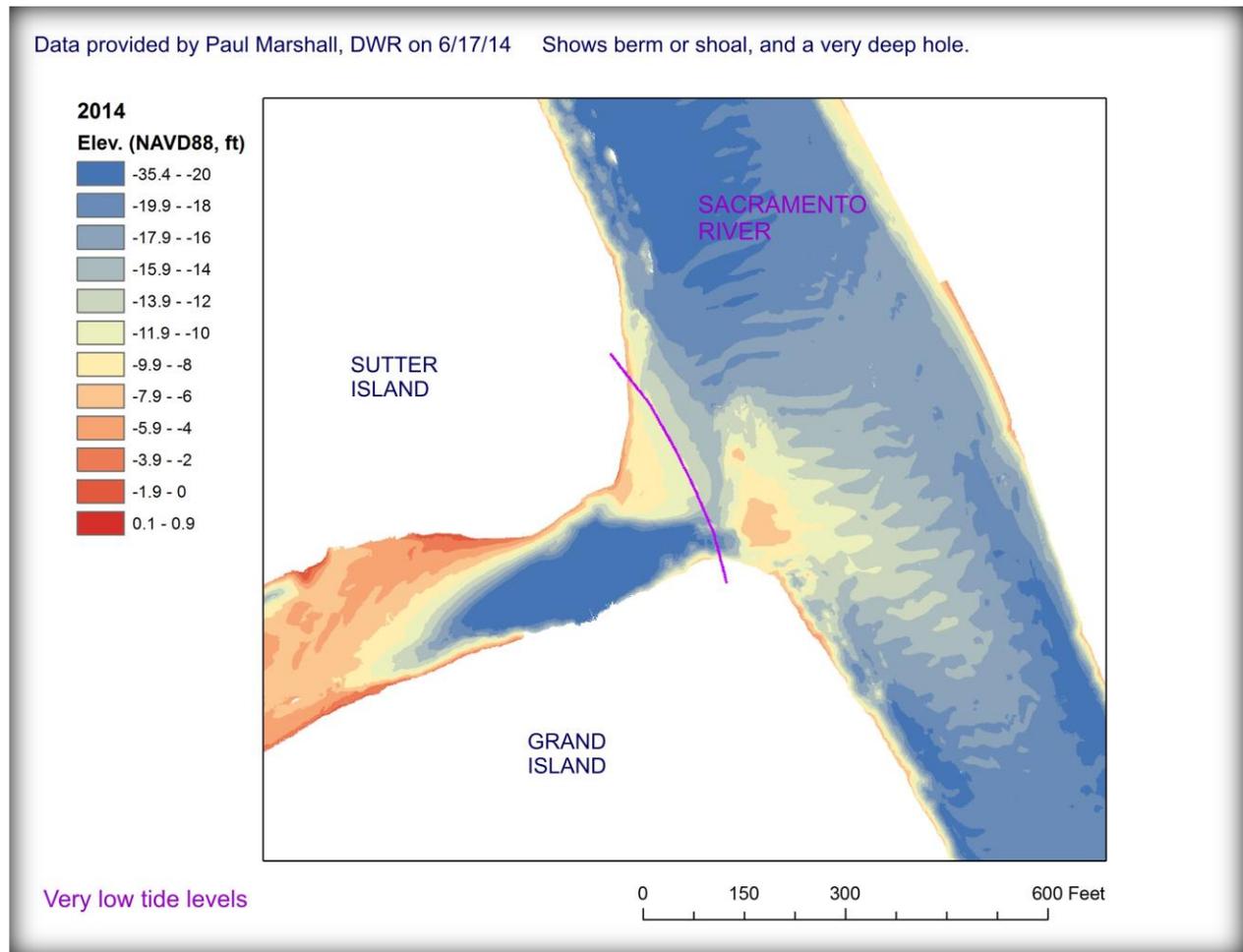
control or review. That baseline technical data was handed over to URS staff by DWR staff, and URS was the predominant contractor that drafted the DRMS Phase 1 report. DRMS Phase 1 was distributed to the public in 2007, with a final version in 2008. DRMS Phase 1 was highly criticized for inaccurate baseline data used, which is well documented. As an example, I was involved in the challenge regarding historical and physical characteristics regarding Ryer Island. Regarding Ryer Island, DRMS was wrong regarding flood history, soil type, seismic risk, assets and population. Eventually DWR made corrections to DRMS Phase 1 regarding some of the incorrect data related to Ryer Island, and published corrections in March 2009, and again made changes in December 2009. No errata sheets were issued for the changes, so only those looking for specific corrections would know to use the December 2009 version of data instead of a previous version. All three versions of DRMS Phase 1 continue to be available online depending on which link you use. In 2016 WaterFix documentation still refers to the 2007 version of DRMS Phase 1, the uncorrected baseline data. Since WaterFix does directly impact Ryer Island and its surrounding waterways, agriculture, commercial properties and residential properties, and WaterFix appears to utilize the incorrect data regarding Ryer Island, I request that WaterFix proponents review and declare all baseline modeling data used from DRMS Phase 1 2007, that relates to Ryer Island, Steamboat Slough, Sutter Slough, Miner's Slough, Prospect Island, Sacramento River between Freeport to below Georgiana Slough, at a minimum, and provide that baseline data to interested parties, myself included. Please provide data in excel or cvs format, if at all possible or include in the documents provided by Proponents the exact DRMS Phase 1 2007 technical data utilized by Water Fix Proponents for the hearing modeling and documentation.

4. **Petitioners Failure to disclose material information:** WaterFix proponents are withholding important impact information which was previously disclosed to North Delta landowners by BDCP personnel in 2010. Original link is/was; [http://baydeltaconservationplan.com/lists/calendar/attachments/112/6.17.10 SC Presentation Modeling Update.pdf](http://baydeltaconservationplan.com/lists/calendar/attachments/112/6.17.10%20SC%20Presentation%20Modeling%20Update.pdf) If that link is not working, see example of one of the presentation slides provided by Karla Nemeth for DRW: [http://snugharbor.net/images2011/deltastuff/ss-reduce\\_flow.JPG](http://snugharbor.net/images2011/deltastuff/ss-reduce_flow.JPG) The computer modeling specifically showed the impacts to Steamboat and Sutter Sloughs, including substantial reduction of flows, increase in salinity, lowering of water level all of which results in raising of water temperature, degradation of water quality, possible encroachment of high salinity water that would affect both irrigation water and drinking water wells, and would render these natural salmon migration pathways as impassible. WaterFix Petitioners claim "no significant impacts" to these areas of the North Delta, yet are aware of-or should be aware of-the BDCP modeling of impacts to the North Delta from a diversion of 9000 cfs located on the Sacramento River north of the confluence of Stutter Slough with the Sacramento River. It is request that WaterFix Proponents specifically disclose known impact data for all areas of the North Delta, and that the disclosure be provided in sufficient timeframe for review by all Protestors prior to initiation of full hearing schedule.
5. **Petitioners Failure to disclose material fact:** WaterFix Petitioners claim that they are simply asking for a different point of diversion and refer to water rights and development legislation from the 1960's. However, only "surplus water" was to be diverted and clearly there has been no showing that any "surplus water" even exists on the Sacramento in the North Delta area where net intakes are proposed. Petitioners should have the burden of proof to show that "surplus water" actually exists, and an analysis of all water rights grants approved by Waterboards since the 1960 Water Bulletin should be provided. Specifically, Petitioners should be required to clearly declare and chart the confirmed sources of "surplus water" that Petitioners propose to divert into the intakes, if built, since if there are water rights owners North of the Delta who have transferred their rights to Petitioners, that fact should be known to all parties and become a factor of the availability of surplus water for

export. See below for screen print from the **1960 Bulletin No 76 titled Delta Water Facilities** which was previously accessed online through <http://www.water.ca.gov> See page 12 of 63. I am requesting that Petitioners be instructed to provide a complete accounting of the source of all waters that are proposed to flow into intakes, if approved, and the date each such source was acquired by Petitioners and transfer granted by Waterboards, and that this information be included in Petitioner's uploaded materials for reference during the hearings.

Attached below, with links to the data shown on the screen print as reference:

**Comment 1: Subsurface barriers and bathymetry by DWR not included in DSM2 modeling and not included in referenced salmon migration studies and modeling:** [http://snugarbor.net/sacramento\\_river\\_barrier.html](http://snugarbor.net/sacramento_river_barrier.html)  
<http://snugarbor.net/images-2014/news/barriers/3Dvideo-ssobstructionvideo.pdf>



**DWR CORRECTS WATER BALANCE TABLE ... MAYBE**

Data compiled by N. Suard, Esq. posted online 3/27/14

Location of flow study based on the first chart posted by DWR: [http://www.snugharbor.net/images-2014/bdcp/flows/unaccounted\\_diversions.pdf](http://www.snugharbor.net/images-2014/bdcp/flows/unaccounted_diversions.pdf)

In January 2014 it was noticed by Delta landowners that a chart online providing the estimated Delta outflow and in-Delta water uses indicated substantially low Delta outflow. In addition, there appeared to be "missing water". I hired a certified Quickbooks person to enter the numbers as shown in the top chart, as if those numbers were dollars instead of thousands of acre feet of water. The result was that there appeared to be MISSING water and the COWD diversions may be counted twice as both independent export amounts and as a portion of the in-Delta consumptive use figure. North Delta landowner focus on flows has been heightened in the last few years because DWR or USBR has been greatly reducing flows on Steamboat Slough, in particular, except for when the salmonid migration studies with pulse flows are going on. The above chart was provided to several North Delta water engineers and agency people with a request that others review the data.

Without notice to others, DWR revised the chart and posted it online on 3/19/2014, after revising the data in into February. It will take more time to analyze the new numbers, but the first posting shows how even for very important data like Delta outflow there is inconsistency when DWR reports data and then makes corrections without acknowledging the correction.

**SCREEN PRINT OF DWR CHART ONLINE BEFORE DWR UPDATE**

[http://www.waterplan.water.ca.gov/dcp/2013/2013\\_water\\_balance\\_flow\\_outflow\\_delta.pdf](http://www.waterplan.water.ca.gov/dcp/2013/2013_water_balance_flow_outflow_delta.pdf)

Delta Water Balance Estimates <sup>1</sup> (TAF)	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Sacramento River Inflow	29,015	27,770	18,360	10,517	17,154	18,304	17,128	16,747	11,970	9,597	9,867	12,777	
Yolo Bypass Inflow	8,410	1,629	2,901	306	708	1,122	8,128	707	10,989	248	417	317	659
Eastside Tributaries Inflow	2,090	1,399	1,078	372	462	534	445	1,173	2,338	383	295	300	638
San Joaquin River Inflow	8,491	1,566	2,646	1,732	1,396	1,365	1,373	3,777	7,341	1,596	1,284	865	1,629
North Bay Aqueduct Exports	39	38	47	45	47	42	52	48	43	61	55	40	43
Central Valley Project Exports at Tracy	160	133	126	104	121	138	120	119	116	111	185	107	94
State Water Project Exports at Banks	2,134	2,439	3,692	2,635	2,900	3,458	3,251	3,625	3,527	2,954	1,527	1,616	2,490
Pumping Plant or Clifton Court Intake	2,474	2,262	2,457	2,337	2,505	2,685	2,727	2,875	2,623	2,679	2,018	1,884	2,141
Delta Consumptive Use <sup>2</sup>	1,751	2,015	2,017	1,863	1,837	1,791	1,391	2,056	1,85	1,700	1,793	1,784	1,865
Delta Precipitation <sup>3</sup>	2,043	1,088	1,271	936	968	849	976	1,288	1,249	525	690	756	939
Delta Outflow	43,487	22,542	18,147	6,944	9,163	14,050	14,914	15,070	41,264	6,216	6,875	6,713	10,247

1 Data from DAYFLOW Program; 7-1-2012 (<http://www.water.ca.gov/dayflow/>)  
 2 Current Required by Water Code Section 10004.6  
 3 Delta only without Steam Marsh

**SCREEN PRINT OF DWR CHART CORRECTED BY DWR AND POSTED 3/19/2014**

[http://www.waterplan.water.ca.gov/dcp/2013/2013\\_water\\_balance\\_flow\\_outflow\\_delta.pdf](http://www.waterplan.water.ca.gov/dcp/2013/2013_water_balance_flow_outflow_delta.pdf)

Delta Water Balance Estimates<sup>1</sup> (TAF)

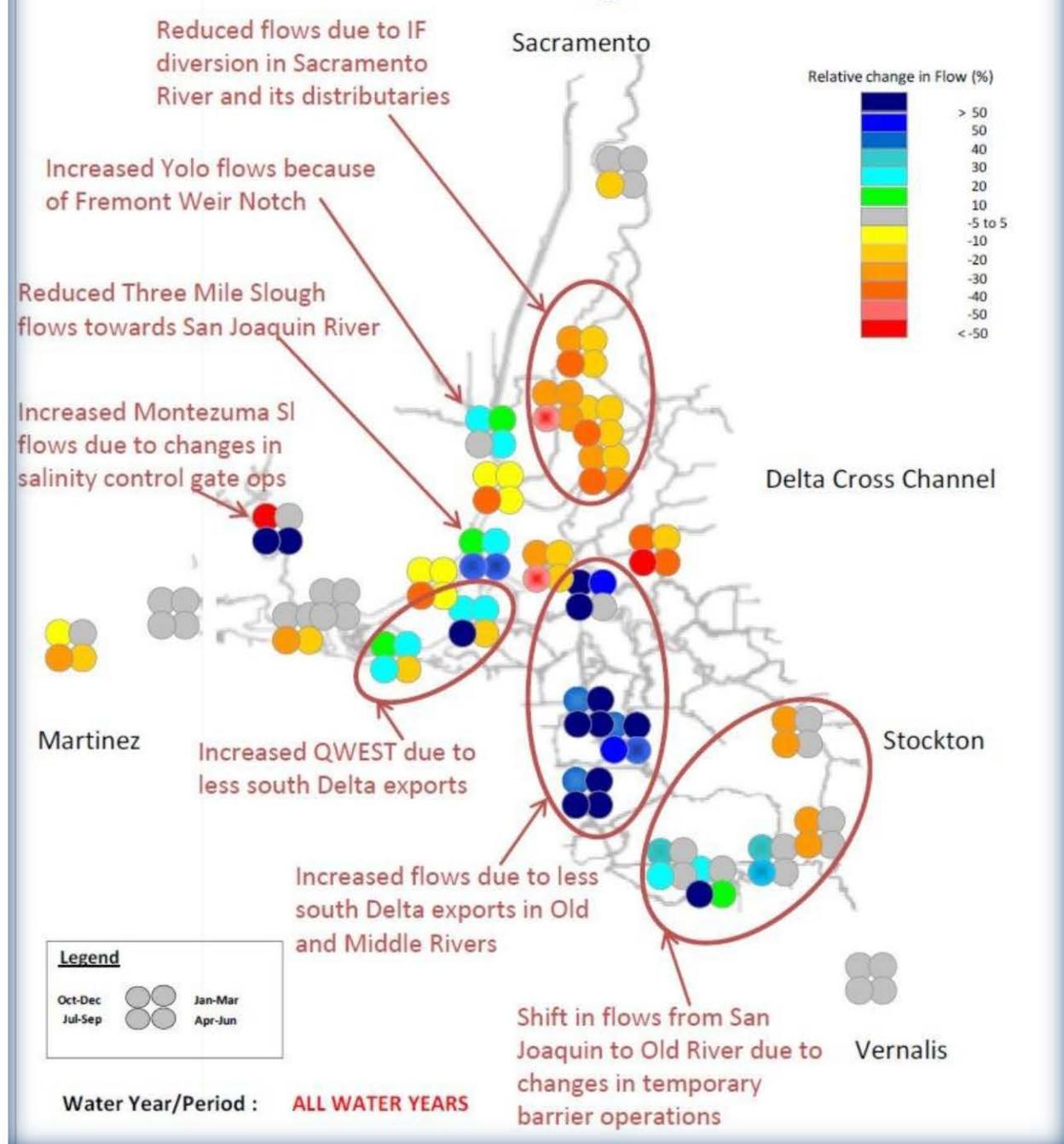
Note: Draft Information. The final Water Plan assumptions and estimates will be included in Volume 5, the Technical Guide.

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Sacramento River Inflow	29,015	27,770	18,360	10,517	17,154	18,304	17,128	16,747	11,970	9,597	9,867	12,777	
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1 Data from DAYFLOW Program; 7-1-2012 (<http://www.water.ca.gov/dayflow/>)  
 2 Current Required by Water Code Section 10004.6  
 3 Delta only without Steam Marsh

Corrected chart posted online 3/19/14 with no reference to the fact it is a correction of the previous posting by DWR

# Seasonal Changes in Flow



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## The Delta — its role in California's water development

In 1959, the State Legislature enacted the California Water Resources Development Bond Act to finance construction of the State Water Resources Development System. The bond act was approved by the California electorate in November 1960. The State Water Facilities, the initial features of this system, will complement continuing local and federal water development programs and include the very necessary works in the Delta.

One of the principal objectives of the State Water Resources Development System is to conserve water in areas of surplus in the north and to transport water to areas of deficiency to the south and west. The Delta is important in achieving this objective, since it receives all of the surplus flows of Central Valley rivers draining to the ocean during winter and spring months and is the last location where water not needed in the Delta or upstream therefrom can conveniently be controlled and diverted to beneficial use. Surplus water from the northern portion of the Central Valley and north coastal rivers will be conveyed by the natural river system to the Delta, where it must be transferred through Delta channels to export pumping plants without undue loss or deterioration in quality. Aqueducts will convey the water from the Delta to off-stream storage and use in areas of deficiency to the south and west.

In addition to being an important link in the interbasin transfer of water, the Delta is a significant segment of California's economy, and its agricultural, municipal, and industrial water supply problems, and flood control and related problems, must be remedied. A multipurpose system of Delta water facilities, which will comprise one portion of the State Water Resources Development System, is the most economical means of transferring water and solving Delta problems.

### SOURCES OF SURPLUS WATER

- ① UNREGULATED FLOWS IN THE DELTA
- ② FEATHER RIVER
- ③ MIDDLE FORK EEL RIVER
- ④ TRINITY RIVER
- ⑤ MAD-VAN DUZEN RIVER
- ⑥ KLAMATH RIVER
- ⑦ UPPER EEL RIVER

### AREAS OF WATER USE

- ① SOUTH SAN FRANCISCO BAY AREA
- ② NORTH SAN FRANCISCO BAY AREA
- ③ SAN BENITO COUNTY AND PAJARO VALLEY AREA
- ④ SAN JOAQUIN VALLEY AREA
- ⑤ CENTRAL COASTAL AREA
- ⑥ SOUTHERN CALIFORNIA COASTAL PLAIN
- ⑦ ANTELOPE-MOJAVE AREA
- ⑧ COASTAL SAN DIEGO AREA
- ⑨ WHITEWATER-COACHELLA AREA

## Water transfers and "new water rights"

**Table 2 - Table A Amounts in Each Scenario (acre-feet)**

SWP CONTRACTOR	1994 Baseline	2003 Baseline	2020 Baseline	2003 No Project A	2020 No Project A	2003 No Project B	2020 No Project B	2003 Proposed Project	2020 Proposed Project
County of Butte	1,200	3,500	27,500	3,500	27,500	1,594	12,388	3,500	27,500
Plumas County FC&WCD	1,200	1,690	2,700	1,690	2,700	770	1,216	1,690	2,700
City of Yuba City	9,600	9,600	9,600	9,600	9,600	4,372	4,325	9,600	9,600
Napa County FC&WCD	9,135	17,450	24,900	21,475	28,925	7,947	11,217	21,475	28,925
Solano County WA	28,980	41,000	42,000	46,756	47,756	18,672	18,920	46,756	47,756
Alameda Co. FC&WCD, Zone 7	40,000	46,000	45,000	80,619	80,619	20,950	20,722	80,619	80,619
Alameda County WD	42,000	42,000	42,000	42,000	42,000	19,128	18,970	42,000	42,000
Santa Clara Valley WD	100,000	100,000	100,000	100,000	100,000	45,513	45,048	100,000	100,000
Oak Flat WD	5,700	5,700	5,700	5,700	5,700	2,596	2,568	5,700	5,700
County of Kings	4,000	4,000	4,000	9,000	9,000	1,822	1,802	9,000	9,000
Dudley Ridge WD	57,700	57,700	57,700	61,673	61,673	26,273	25,933	57,343	57,343
Empire West Side ID	3,000	3,000	3,000	3,000	3,000	1,366	1,351	3,000	3,000
Kern County Water Agency (M&I)	134,600	134,600	134,600	134,600	134,600	61,300	60,635	134,600	134,600
Kern County Water Agency (Agric.)	1,018,800	1,018,800	1,018,800	945,800	929,800	463,987	458,953	864,130	848,130
Tulare Lake Basin WSD	118,500	118,500	118,500	96,227	96,227	53,568	53,382	96,227	96,227
San Luis Obispo Co. FC&WCD	25,000	25,000	25,000	25,000	25,000	11,586	11,262	25,000	25,000
Santa Barbara Co. FC&WCD	45,486	45,486	45,486	45,486	45,486	20,715	20,491	45,486	45,486
Antelope Valley East Kern WA	138,100	138,100	138,100	141,100	141,100	63,031	62,317	141,100	141,100
Castaic Lake WA (31A)	12,700	12,700	12,700	12,700	12,700	5,784	5,721	12,700	12,700
Castaic Lake WA	41,500	41,500	41,500	41,500	41,500	18,900	18,695	41,500	41,500
Coachella Valley WD	23,100	23,100	111,200	33,000	133,100	10,520	50,094	33,000	133,100
Crestline-Lake Arrowhead WA	5,800	5,800	5,800	5,800	5,800	2,641	2,613	5,800	5,800
Desert WA	38,100	38,100	50,000	38,100	54,000	17,352	22,524	38,100	54,000
Littlerock Creek ID	2,300	2,300	2,300	2,300	2,300	1,047	1,036	2,300	2,300
Mojave WA	50,800	50,800	50,800	75,800	75,800	23,136	22,885	75,800	75,800
Metropolitan WDSC	2,011,500	2,011,500	1,911,500	2,011,500	1,911,500	516,088	861,080	2,011,500	1,911,500
Palmdale WD	17,300	17,300	17,300	21,300	21,300	7,879	7,793	21,300	21,300
San Bernardino Valley MWD	102,600	102,600	102,600	102,600	102,600	46,727	46,220	102,600	102,600
San Gabriel Valley MWD	28,800	28,800	28,800	28,800	28,800	13,116	12,974	28,800	28,800
San Geronimo Pass WA	17,300	5,000	17,300	5,000	17,300	2,277	7,793	5,000	17,300
Ventura County FCD	20,000	20,000	20,000	20,000	20,000	9,109	9,010	20,000	20,000
<b>Total Agriculture</b>	<b>1,220,400</b>	<b>1,220,400</b>	<b>1,220,400</b>	<b>1,134,100</b>	<b>1,118,100</b>	<b>555,801</b>	<b>549,771</b>	<b>1,048,100</b>	<b>1,032,100</b>
<b>Total M&amp;I</b>	<b>2,933,801</b>	<b>2,951,526</b>	<b>2,997,286</b>	<b>3,037,826</b>	<b>3,099,586</b>	<b>1,344,199</b>	<b>1,350,229</b>	<b>3,078,826</b>	<b>3,140,586</b>
<b>Total</b>	<b>4,154,201</b>	<b>4,171,926</b>	<b>4,217,686</b>	<b>4,171,926</b>	<b>4,217,686</b>	<b>1,900,000</b>	<b>1,900,000</b>	<b>4,126,926</b>	<b>4,172,686</b>



June 10, 2016

Hearing Chair Tam Doduc

Hearing Officer Felicia Marcus (Chairperson, Waterboard)

State Water Resources Control Board

Sacramento, CA 95812-0100

[CWFhearing@waterboards.ca.gov](mailto:CWFhearing@waterboards.ca.gov) (via email)

Re: Request for Sixty (60) Day extension of time to file objections to Petitioners Exhibits, and request for additional information withheld from the public by Petitioners:

Dear Hearing Chair Doduc and Hearing Officer Marcus,

I concur with the request by California Water Research and Pacific Coast Federation of Fishermen's Association for an extension to 60 days of the time to review the evidence submitted by Petitioners. In addition, preliminary review of baseline data utilized by Petitioners indicate use of false or outdated data, as well and major omissions of evidence regarding impacts that were previously disclosed to North Delta landowners in the BDCP when the same project was labeled "twin tunnels". It appears Petitioners are withholding important information regarding impacts to North Delta landowners. I specifically request that Petitioners be directed to disclose the baseline data used for DSM2 modeling, the timeframe for DSM2, who recalibrated DSM2 and who provided the updated data for DSM2 baseline data. Also necessary for informed analysis is disclosure of the output review and if there were comments and challenges to the output review, unless, of course, the DSM2 baseline data has not been reviewed or tested by anyone.

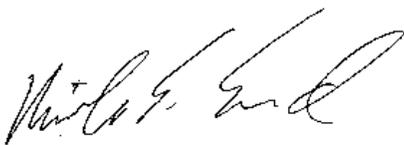
My request for 60 day extension is based on a belief *that all parties would benefit from use of accurate and current baseline data*. I do not think even Petitioners would argue with the need for use of accurate and current baseline data. However, it appears from just a preliminary review of the references cited by the 2016 WaterFix documents that the Petitioners have in fact utilized incorrect and outdated baseline data. I provide five examples below, all of which would affect outcome modeling for WaterFix proposal, each of which should be addressed and data provided by Petitioners prior to initiation of hearing:

1. What flow period(s) does the DSM2 use for flow data, who provided that baseline flow data, and who determined what bathymetry sections should be used for each location on Steamboat and Sutter Sloughs; why were those locations designated and why were the flow barriers ignored or if not ignored, what were they not documented in written update data for DSM1?

2. Which version of Delta Imports, Exports and Outflow was used for WaterFix computer modeling for CalSimII and DSM2? What is the specific date of inflow and export data for 2000 to 2010 used for computer modeling for WaterFix and please direct Petitioners to provide a clear and current table showing this basic baseline data, since DWR data for the same years has been shown to change often.
3. Petitioners refer to DRMS Phase 1 2007 technical data and fail to acknowledge the corrections to that study posted by DWR in December 2009. Please direct Petitioners to recalibrate their data using corrected DRMS Phase 1 data if applicable, at least with reference to impacts to Ryer Island landowners.
4. Petitioners fail to disclose negative impact modeling and reports generated in the BDCP process. Please require Petitioners to disclose all known computer modeling related to North Delta land and waterway impacts as presented by Karla Nemeth at BDCP meeting notes previously found at <http://baydeltaconservationplan.com/lists/calendar/attachments/112/6.17.10.SC.Presentation.Modeling.Update.pdf> If that link is not working, see example of one of the presentation slides provided by Karla Nemeth for DRW: [http://snugharbor.net/images2011/deltastuff/ss-reduce\\_flow.JPG](http://snugharbor.net/images2011/deltastuff/ss-reduce_flow.JPG)
5. Petitioners claim to be simply asking for a change in the points of diversion without actually disclosing the sources of the water rights, water transfers and dates such water rights and transfers were acquired and approved by Waterboards. I am requesting a complete disclosure by Petitioners DWR and USBR of any and all water transfers and water rights that would verify Petitioners even have a right to claim 3000 cfs of flow from the Sacramento River in the North Delta, let alone 9000 cfs. The issue is not HOW the water is transferred but HOW MUCH water is transferred. Note that Petitioners claim to be operating under laws that allow for only "surplus" water to be diverted. Petitioners have not established "surplus" water exists.

On the pages attached below, as proof of need for accurate baseline data use, I provide more detail of the issues that are listed above that should be addressed prior to hearing initiation. In conclusion, please very thoughtfully consider the request for extension of 60 days to submit objections to Proponents evidence, or failure to disclose evidence. The time of the Waterboard commissioners and staff is valuable. Ms. DuDoc, as a trained Civil Engineer, do you want to spend your time listening to testimony regarding flows that can be shown to be incorrect due to incorrect baseline data handed to the computer modelers? Ms. Marcus, as an attorney and long term public servant, do you feel it is appropriate for the state, federal agencies, attorneys representing both Petitioners and Protestors, to move forward with the expense of a hearing when there are known failure-to-disclose issues, and known flaws in the principal case of Petitioners? Your time is valuable. Our time is valuable. In the interest of promoting full disclosure by Petitioners, and full opportunity for rebuttal by Protestants, please grant 60 day extension for all matters in this proceeding.

You have a hard and thankless job. Respectfully submitted,



Nicole S. Suard, Esq. Managing Member, Snug Harbor Resorts, LLC  
(Snug Harbor Resorts, LLC is a fully permitted marina and RV/MH park located on a peninsula off Ryer Island, on Steamboat Slough, and we have been experiencing the negative impacts of CalFed/BDCP WaterFix experiments on Steamboat and Sutter Slough since 2004.)

Attachments and CC to all parties per ListServe

Detailed description of information needed, why, and evidence of withheld material information:

- 1. Use of computer model that does not correctly represent North Delta flows and bathymetry:** Biological Assessment for the California WaterFix, page 5-99, dated January 2016, section 5.4.1.3.1.2.1.1 titled "Channel Velocity (DSM2-HYDRO)" states "*Delta channel flows have considerable importance for downstream migrating juvenile salmonids, as shown by studies in which through-Delta survival of Chinook salmon smolts positively correlated with flow (Newman 2003, Perry 2010) ...*" Since DSM2 was not modeled to include the subsurface flow and salmon-migration barriers currently physically located on Sutter Slough just below the confluence with Miner Slough, or the one at the head of Steamboat Slough just east of the Steamboat Slough bridge, the salmon migration studies did not account for impacts from flow diversions and therefore salmon migration diversions as well. If scientists conducting the Delta migration studies were aware of the flow barriers, why were they not noted in the studies? It appears that important flow and migration information has been withheld from the reviewers and from the public, and I request that the DWR/USBR documentation regarding the subsurface flow barriers be disclosed to all parties. Note that DWR representative Paul Marshall did supply me with a series of bathymetry graphics for the Steamboat Slough flow barrier; however, that same bathymetry data was *not* used for the update of DSM2 channel depths for some unexplained reason, as documented in the WaterFix modeling data uploaded by Petitioners. For reference of locations use the below attached maps. I request that the installation history, purpose of flow barriers, and any reports related to the structures be included in the modeling data for DMS2-HYDRO and for an update report on the influence or impact on previous salmon migration studies where flow and salmon migration barriers were present but not disclosed to the scientists conducting the studies. See attached sample bathymetry provided by Paul Marshall from DWR in 2014.
- 2. Potential (possibly accidental) use of inaccurate flow and export data by Petitioners:** According to WaterFix Petitioners, computer modeling was based on an update of CalSim and CalSimII, which was conducted to include the flow data from CDEC for the time period of 2000 to 2010, and thereafter. However, DWR has posted online and provided to the public several versions of flow data for that same time period which are substantially different, and it is unclear if the computer modelers are using the correct flow data or one of the previous DWR summaries. Attached are exact screen prints from the 2013 California Water Plan FINAL table of inflows, outflows and exports and also a screen print from the first revision to that table. [http://www.snugharbor.net/images-2014/bdcp/flows/unaccounted\\_diversions.pdf](http://www.snugharbor.net/images-2014/bdcp/flows/unaccounted_diversions.pdf) You will see that the numbers continue to change, right during the timeframe when CALSIMII and BDCP/WaterFix modeling was being updated. DWR should be required to clearly state what baseline flow numbers are used, from where, who and what date the baseline numbers were received so that it can be determined if in fact WaterFix modelers are using corrected flow data or substantially flawed flow data. See screen prints attached. I am asking for 60 day extension so that *Petitioners* will have sufficient time to verify their own data integrity, and so that Protestors will have sufficient opportunity to review baseline flow data from Petitioners once Petitioners provide that baseline flow data. Please see screen prints attached showing the original baseline and flow data provided by DWR, since that one was removed by DWR without errata sheet and replaced with several different versions and numbers over the last several years.
- 3. Petitioner's Use of false baseline data for impact modeling and conclusions:** It appears Petitioners use false data from DRMS Phase 1 technical data with respect to Ryer Island. As Petitioners know, the technical baseline data from DRMS Phase 1 was developed between 2004-2006 and then distributed to the public without quality control or review. That baseline technical data was handed over to URS staff by DWR staff, and URS was the predominant contractor that drafted the DRMS Phase 1 report. DRMS Phase 1 was distributed to the public in

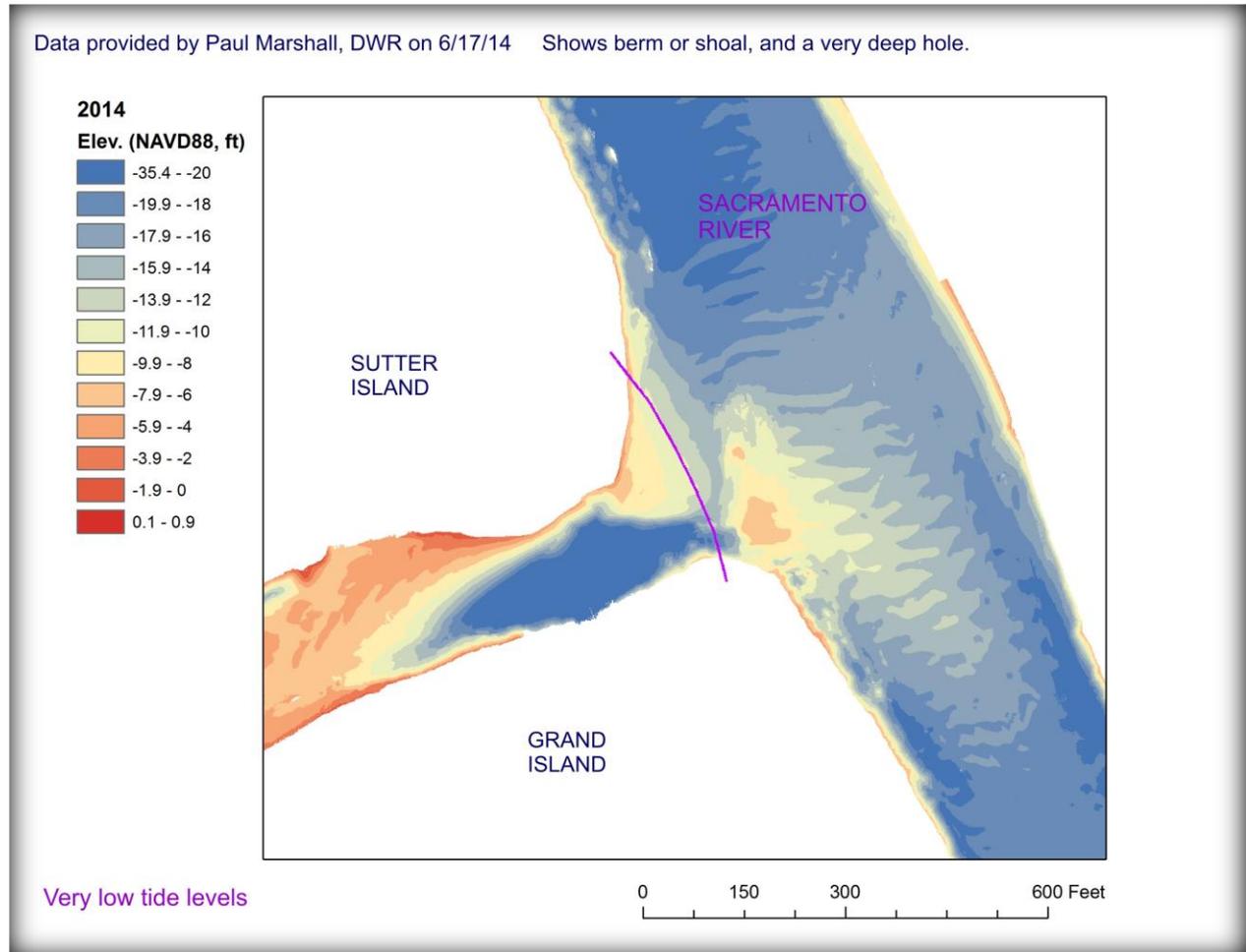
2007, with a final version in 2008. DRMS Phase 1 was highly criticized for inaccurate baseline data used, which is well documented. As an example, I was involved in the challenge regarding historical and physical characteristics regarding Ryer Island. Regarding Ryer Island, DRMS was wrong regarding flood history, soil type, seismic risk, assets and population. Eventually DWR made corrections to DRMS Phase 1 regarding some of the incorrect data related to Ryer Island, and published corrections in March 2009, and again made changes in December 2009. No errata sheets were issued for the changes, so only those looking for specific corrections would know to use the December 2009 version of data instead of a previous version. All three versions of DRMS Phase 1 continue to be available online depending on which link you use. In 2016 WaterFix documentation still refers to the 2007 version of DRMS Phase 1, the uncorrected baseline data. Since WaterFix does directly impact Ryer Island and its surrounding waterways, agriculture, commercial properties and residential properties, and WaterFix appears to utilize the incorrect data regarding Ryer Island, I request that WaterFix proponents review and declare all baseline modeling data used from DRMS Phase 1 2007, that relates to Ryer Island, Steamboat Slough, Sutter Slough, Miner's Slough, Prospect Island, Sacramento River between Freeport to below Georgiana Slough, at a minimum, and provide that baseline data to interested parties, myself included. Please provide data in excel or cvs format, if at all possible or include in the documents provided by Proponents the exact DRMS Phase 1 2007 technical data utilized by Water Fix Proponents for the hearing modeling and documentation.

4. **Petitioners Failure to disclose material information:** WaterFix proponents are withholding important impact information which was previously disclosed to North Delta landowners by BDCP personnel in 2010. Original link is/was; <http://baydeltaconservationplan.com/lists/calendar/attachments/112/6.17.10 SC Presentation Modeling Update.pdf> If that link is not working, see example of one of the presentation slides provided by Karla Nemeth for DRW: [http://snugharbor.net/images2011/deltastuff/ss-reduce\\_flow.JPG](http://snugharbor.net/images2011/deltastuff/ss-reduce_flow.JPG) The computer modeling specifically showed the impacts to Steamboat and Sutter Sloughs, including substantial reduction of flows, increase in salinity, lowering of water level all of which results in raising of water temperature, degradation of water quality, possible encroachment of high salinity water that would affect both irrigation water and drinking water wells, and would render these natural salmon migration pathways as impassible. WaterFix Petitioners claim "no significant impacts" to these areas of the North Delta, yet are aware of-or should be aware of-the BDCP modeling of impacts to the North Delta from a diversion of 9000 cfs located on the Sacramento River north of the confluence of Stutter Slough with the Sacramento River. It is request that WaterFix Proponents specifically disclose known impact data for all areas of the North Delta, and that the disclosure be provided in sufficient timeframe for review by all Protestors prior to initiation of full hearing schedule.
5. **Petitioners Failure to disclose material fact:** WaterFix Petitioners claim that they are simply asking for a different point of diversion and refer to water rights and development legislation from the 1960's. However, only "surplus water" was to be diverted and clearly there has been no showing that any "surplus water" even exists on the Sacramento in the North Delta area where net intakes are proposed. Petitioners should have the burden of proof to show that "surplus water" actually exists, and an analysis of all water rights grants approved by Waterboards since the 1960 Water Bulletin should be provided. Specifically, Petitioners should be required to clearly declare and chart the confirmed sources of "surplus water" that Petitioners propose to divert into the intakes, if built, since if there are water rights owners North of the Delta who have transferred their rights to Petitioners, that fact should be known to all parties and become a factor of the availability of surplus water for export. See below for screen print from the **1960 Bulletin No 76 titled Delta Water Facilities** which was previously accessed online through <http://www.water.ca.gov> See page 12 of 63. I am requesting that

Petitioners be instructed to provide a complete accounting of the source of all waters that are proposed to flow into intakes, if approved, and the date each such source was acquired by Petitioners and transfer granted by Waterboards, and that this information be included in Petitioner's uploaded materials for reference during the hearings.

Attached below, with links to the data shown on the screen print as reference:

**Comment 1: Subsurface barriers and bathymetry by DWR not included in DSM2 modeling and not included in referenced salmon migration studies and modeling:** [http://snugharbor.net/sacramento\\_river\\_barrier.html](http://snugharbor.net/sacramento_river_barrier.html)  
<http://snugharbor.net/images-2014/news/barriers/3Dvideo-ssobstructionvideo.pdf>



**DWR CORRECTS WATER BALANCE TABLE ... MAYBE**

Data compiled by N. Suard, Esq. posted online 3/27/14

Location of flow study based on the first chart posted by DWR: [http://www.snugharbor.net/images-2014/bdcp/flows/unaccounted\\_diversions.pdf](http://www.snugharbor.net/images-2014/bdcp/flows/unaccounted_diversions.pdf)

In January 2014 it was noticed by Delta landowners that a chart online providing the estimated Delta outflow and in-Delta water uses indicated substantially low Delta outflow. In addition, there appeared to be "missing water". I hired a certified Quickbooks person to enter the numbers as shown in the top chart, as if those numbers were dollars instead of thousands of acre feet of water. The result was that there appeared to be MISSING water and the COWD diversions may be counted twice as both independent export amount and as a portion of the in-Delta consumptive use figure. North Delta landowner focus on flows has been heightened in the last few years because DWR or USBR has been greatly reducing flows on Steamboat Slough, in particular, except for when the salmonid migration studies with pulse flows are going on. The above chart was provided to several North Delta water engineers and agency people with a request that others review the data.

Without notice to others, DWR revised the chart and posted it online on 3/19/2014, after revising the data in late February. It will take more time to analyze the new numbers, but the first posting shows how even for very important data like Delta outflow there is inconsistency when DWR reports data and then makes corrections without acknowledging the correction.

**SCREEN PRINT OF DWR CHART BEFORE DWR UPDATE**

[http://www.water.ca.gov/bdcp/flows/unaccounted\\_diversions.pdf](http://www.water.ca.gov/bdcp/flows/unaccounted_diversions.pdf)

Delta Water Balance Estimates <sup>1</sup> (TAP)	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Sacramento River Inflow	29,015	27,770	18,360	10,517	13,104	18,304	17,128	16,747	27,977	10,970	9,597	9,867	12,777
Yolo Bypass Inflow	1,996	1,629	2,901	366	708	1,122	707	10,939	248	417	917	659	
Eastside Tributaries Inflow	2,090	1,399	1,078	372	462	534	445	1,173	383	295	300	638	
San Joaquin River Inflow	8,479	1,566	2,646	1,732	1,396	1,365	1,373	3,777	7,341	1,596	1,284	885	1,629
North Bay Aqueduct Exports	39	36	47	45	47	42	52	48	61	55	46	43	
Central Valley Project Exports at Tracy	160	133	126	104	121	138	120	119	116	111	185	107	84
State Water Project Exports at Banks	2,134	2,439	3,692	2,635	2,900	3,458	3,251	3,625	3,527	2,954	1,527	1,616	2,490
Pumping Plant or Clifton Court Intake	2,174	2,263	2,647	2,337	2,506	2,685	2,727	2,679	2,629	2,679	2,018	1,868	2,143
Delta Consumptive Use <sup>2</sup>	1,751	2,015	2,017	1,863	1,837	1,791	1,991	2,056	1,85	1,700	1,793	1,764	1,865
Delta Precipitation <sup>3</sup>	2,043	1,088	1,271	986	968	829	976	1,233	1,248	525	700	756	939
Delta Outflow	43,887	22,542	18,147	6,944	9,163	14,050	14,914	15,070	41,264	1,216	1,075	6,713	10,247

1 Data from DAYFLOW Program; 7-2-2012 (<http://www.water.ca.gov/dayflow/>)  
 2 Current Required by Water Code Section 10004.6  
 3 Delta only without Steam Marsh

**SCREEN PRINT OF DWR CHART CORRECTED BY DWR AND POSTED 3/19/2014**

[http://www.water.ca.gov/bdcp/flows/unaccounted\\_diversions.pdf](http://www.water.ca.gov/bdcp/flows/unaccounted_diversions.pdf)

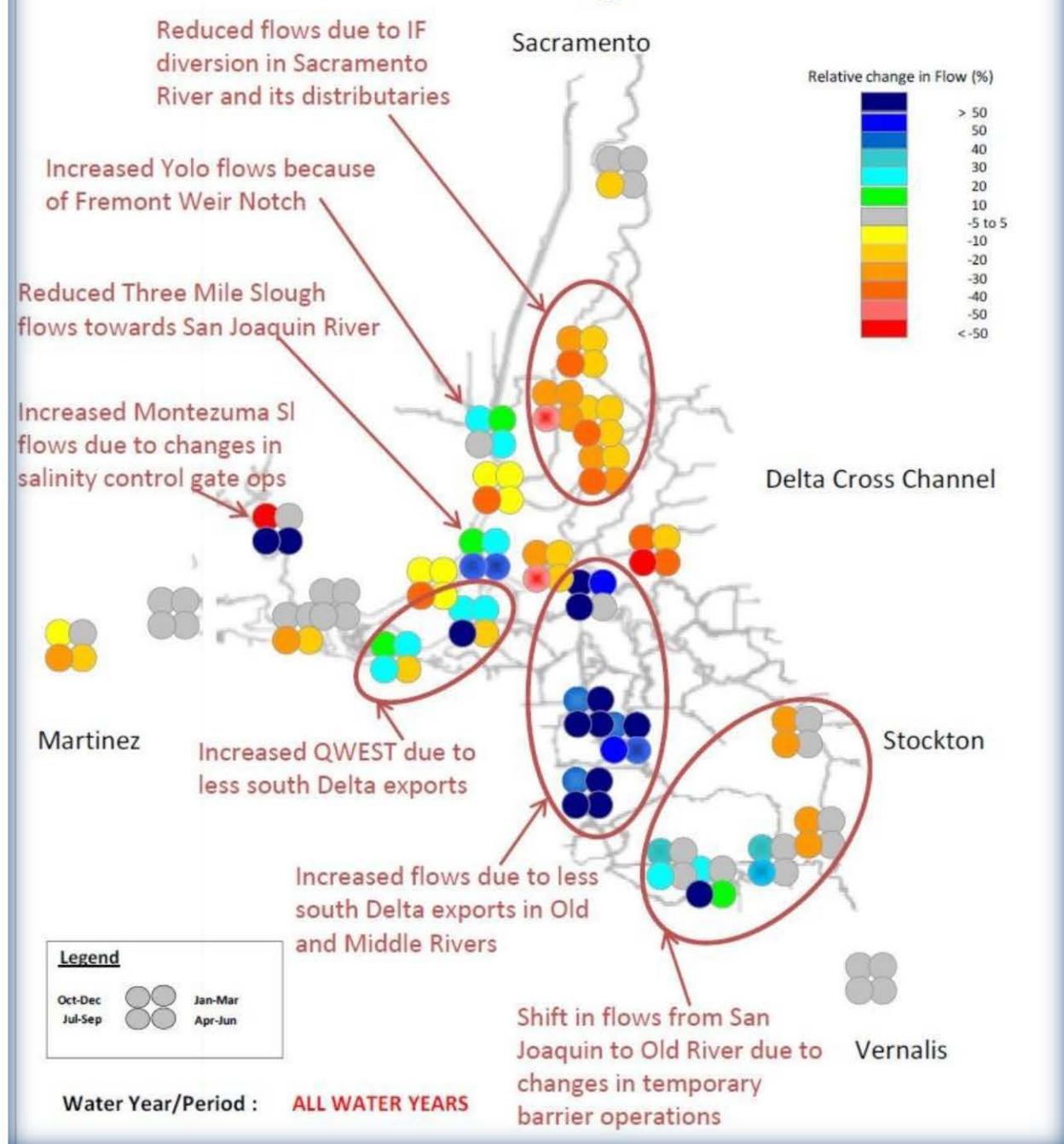
Note: Draft information. The final Water Plan assumptions and estimates will be included in Volume 5, the Technical Guide.

Delta Water Balance Estimates <sup>1</sup> (TAP)	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Sacramento River Inflow	29,015	27,770	18,360	10,517	13,104	18,304	17,128	16,747	27,977	10,970	9,597	9,867	12,777
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1 Data from DAYFLOW Program; 7-2-2012 (<http://www.water.ca.gov/dayflow/>)  
 2 Current Required by Water Code Section 10004.6  
 3 Delta only without Steam Marsh

Corrected chart posted online 3/19/14 with no reference to the fact it is a correction of the previous posting by DWR

# Seasonal Changes in Flow



1960Bulletin\_No\_76\_Delta\_Water\_Facilities-Color.pdf

## The Delta — its role in California's water development

In 1959, the State Legislature enacted the California Water Resources Development Bond Act to finance construction of the State Water Resources Development System. The bond act was approved by the California electorate in November 1960. The State Water Facilities, the initial features of this system, will complement continuing local and federal water development programs and include the very necessary works in the Delta.

One of the principal objectives of the State Water Resources Development System is to conserve water in areas of surplus in the north and to transport water to areas of deficiency to the south and west. The Delta is important in achieving this objective, since it receives all of the surplus flows of Central Valley rivers draining to the ocean during winter and spring months and is the last location where water not needed in the Delta or upstream therefrom can conveniently be controlled and diverted to beneficial use. Surplus water from the northern portion of the Central Valley and north coastal rivers will be conveyed by the natural river system to the Delta, where it must be transferred through Delta channels to export pumping plants without undue loss or deterioration in quality. Aqueducts will convey the water from the Delta to off-stream storage and use in areas of deficiency to the south and west.

In addition to being an important link in the interbasin transfer of water, the Delta is a significant segment of California's economy, and its agricultural, municipal, and industrial water supply problems, and flood control and related problems, must be remedied. A multipurpose system of Delta water facilities, which will comprise one portion of the State Water Resources Development System, is the most economical means of transferring water and solving Delta problems.

**SOURCES OF SURPLUS WATER**

- 1 UNREGULATED FLOWS IN THE DELTA
- 2 FEATHER RIVER
- 3 MIDDLE FORK EEL RIVER
- 4 TRINITY RIVER
- 5 MAD-VAN DUZEN RIVER
- 6 KLAMATH RIVER
- 7 UPPER EEL RIVER

**AREAS OF WATER USE**

- 1 SOUTH SAN FRANCISCO BAY AREA
- 2 NORTH SAN FRANCISCO BAY AREA
- 3 SAN BENITO COUNTY AND PAJARO VALLEY AREA
- 4 SAN JOAQUIN VALLEY AREA
- 5 CENTRAL COASTAL AREA
- 6 SOUTHERN CALIFORNIA COASTAL PLAIN
- 7 ANTELOPE-MOJAVE AREA
- 8 COASTAL SAN DIEGO AREA
- 9 WHITEWATER-COACHELLA AREA

## Water transfers and "new water rights"

Table 2 - Table A Amounts in Each Scenario (acre-feet)

SWP CONTRACTOR	1994 Baseline	2003 Baseline	2020 Baseline	2003 No Project A	2020 No Project A	2003 No Project B	2020 No Project B	2003 Proposed Project	2020 Proposed Project
County of Butte	1,200	3,500	27,500	3,500	27,500	1,594	12,388	3,500	27,500
Plumas County FC&WCD	1,200	1,690	2,700	1,690	2,700	770	1,216	1,690	2,700
City of Yuba City	9,600	9,600	9,600	9,600	9,600	4,372	4,325	9,600	9,600
Napa County FC&WCD	9,135	17,450	24,900	21,475	28,925	7,947	11,217	21,475	28,925
Solano County WA	28,080	41,000	42,000	46,756	47,756	18,672	18,920	46,756	47,756
Alameda Co. FC&WCD, Zone 7	40,000	40,000	40,000	80,619	80,619	20,950	20,722	80,619	80,619
Alameda County WD	42,000	42,000	42,000	42,000	42,000	19,128	18,920	42,000	42,000
Santa Clara Valley WD	100,000	100,000	100,000	100,000	100,000	45,543	45,048	100,000	100,000
Oak Flat WD	5,700	5,700	5,700	5,700	5,700	2,596	2,568	5,700	5,700
County of Kings	4,000	4,000	4,000	9,000	9,000	1,822	1,802	9,000	9,000
Dudley Ridge WD	57,700	57,700	57,700	61,673	61,673	26,273	25,933	57,343	57,343
Empire West Side ID	3,000	3,000	3,000	3,000	3,000	1,366	1,351	3,000	3,000
Kern County Water Agency (M&I)	134,600	134,600	134,600	134,600	134,600	61,300	60,535	134,600	134,600
Kern County Water Agency (Agnic.)	1,018,800	1,018,800	1,018,800	945,800	929,800	463,987	458,953	864,130	848,130
Tulare Lake Basin WSD	118,500	118,500	118,500	96,227	96,227	53,568	53,382	96,227	96,227
San Luis Obispo Co. FC&WCD	25,000	25,000	25,000	25,000	25,000	11,386	11,262	25,000	25,000
Santa Barbara Co. FC&WCD	45,486	45,486	45,486	45,486	45,486	20,715	20,491	45,486	45,486
Antelope Valley-East Kern WA	138,400	138,400	138,400	141,400	141,400	63,031	62,347	141,400	141,400
Castaic Lake WA (31A)	12,700	12,700	12,700	12,700	12,700	5,784	5,721	12,700	12,700
Castaic Lake WA	41,500	41,500	41,500	41,500	41,500	18,900	18,695	82,500	82,500
Coachella Valley WD	23,100	23,100	111,200	33,000	133,100	10,520	50,094	33,000	133,100
Crestline-Lake Arrowhead WA	5,800	5,800	5,800	5,800	5,800	2,641	2,613	5,800	5,800
Desert WA	38,100	38,100	50,000	38,100	54,000	17,352	22,524	38,100	54,000
Littlecreek Creek ID	2,300	2,300	2,300	2,300	2,300	1,047	1,036	2,300	2,300
Mojave WA	50,800	50,800	50,800	75,800	75,800	23,136	22,885	75,800	75,800
Metropolitan WDSC	2,011,500	2,011,500	1,911,500	2,011,500	1,911,500	916,088	861,080	2,011,500	1,911,500
Palmdale WD	17,300	17,300	17,300	21,300	21,300	7,879	7,793	21,300	21,300
San Bernardino Valley MWD	102,600	102,600	102,600	102,600	102,600	46,727	46,220	102,600	102,600
San Gabriel Valley MWD	28,800	28,800	28,800	28,800	28,800	13,116	12,974	28,800	28,800
San Geronimo Pass WA	17,300	5,000	17,300	5,000	17,300	2,277	7,793	5,000	17,300
Ventura County FCD	20,000	20,000	20,000	20,000	20,000	9,109	9,010	20,000	20,000
Total Agriculture	1,220,400	1,220,400	1,220,400	1,134,100	1,118,100	555,801	549,771	1,048,100	1,032,100
Total M&I	2,933,801	2,951,526	2,997,286	3,037,826	3,099,586	1,344,199	1,350,229	3,078,826	3,140,586
Total	4,154,201	4,171,926	4,217,686	4,171,926	4,217,686	1,900,000	1,900,000	4,126,926	4,172,686

STATEMENT OF SERVICE-CORRECTED

CALIFORNIA WATERFIX PETITION HEARING

Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)

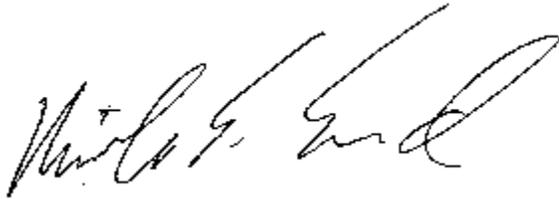
I hereby certify that I have this day submitted to the State Water Resources Control Board and caused a true and correct copy of original letter to be attached, of the following document:

Request for Extension of time dated 6-1—16 addressed to Hearing Chair Tam Doduck and Hearing Officer Felicia Marchus, State Water Resources Control Board.

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 **June 9, 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)

I certify that the foregoing is true and correct and that this document of CORRECTED SERVICE LIST with corrected Service List Date, was executed on 6-10-2016 at 3:20 PM Pacific Time.

A handwritten signature in black ink, appearing to read "Nicole S. Suard". The signature is fluid and cursive, with a large loop at the end.

Nicole S. Suard, Esq.

Managing Member, Snug Harbor Resorts, LLC

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