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**CALIFORNIA DEPARTMENT OF WATER
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9 **BEFORE THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

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

**CALIFORNIA DEPARTMENT OF
WATER RESOURCES' OBJECTIONS
TO SACRAMENTO VALLEY GROUP
WRITTEN TESTIMONY AND
EXHIBITS SUBMITTED BY
PROTESTANTS IN SUPPORT OF
PART 1B CASE IN CHIEF AND
RELATED JOINDERS**

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16 California Department of Water Resources ("DWR") submits the following
17 objections, motion to strike testimony and/or exclude testimony of the Sacramento Valley
18 Group¹ (SVG) which, based on the SVG Exhibit List and Testimony, includes written
19 testimony from one witness, Mr. Marc E. Van Camp and over 1,000 exhibits, which most
20 are statements of diversion and use that are on file with the State Water Resources
21 Control Board and about 23 exhibits are contracts between the SVG entity and Bureau
22 of Reclamation or Department of Water Resources (DWR). (See SVG Exhibit List.)

23
24 The purpose of Mr. Van Camp's testimony is to identify and provide a brief
25 description of the water rights held by the protestants of the SVG. (SCV-01-001, page 3.)

26
27 ¹ Sacramento Valley Group consists of 22 water agencies, water districts or individual water users within the
Sacramento Valley that have settlement contracts with Reclamation or DWR. These water users are listed in SVG-01-
28 001, p. 1 (Testimony of Marc E Van Camp on behalf of SVG).

1 Mr. Van Camp provides testimony to establish his qualifications as an expert in the water
2 rights of the SVG and also regarding hydrologic issues on the Sacramento River and
3 Delta. (SCV-01-001, pages 2-3.) DWR has no objection to Mr. Van Camp's qualification
4 for these purposes. However, Mr. Van Camp's testimony submitted for the SVG, as its
5 only witness on its Exhibit List, does not include any details, information, or references to
6 other exhibits that describe the Petitioned California WaterFix Project and the potential
7 for the Project to impact or harm the SIG water users. DWR objects to SVG testimony
8 and exhibits as lacking evidence to support harm or injury from the Petitioned Project
9 and should be excluded.

10 Although not clear, if the SVG parties intend to join with another group, such as the
11 so-called Sacramento Valley Water Users, a group that has not filed a Notice of Intent to
12 Appear (NOI) at this Hearing², then DWR assumes that the SVG is relying on the
13 exhibits submitted by MBK, specifically Walter Bourez and Dan Easton as indicated in
14 the SVG NOI. However, even if this is the intent of the parties, DWR still objects to the
15 exhibits submitted by SVG and MBK because the testimony and exhibits do not provide
16 details and information on how the water rights of the particular water users within the
17 SVG are impacted or injured by the Petitioned Project.

18
19 See also, DWR concurrently submitted Master Objections related to issues raised
20 by multiple parties regarding testimony that lacks foundation, is not relevant, made legal
21 arguments, and restates policy positions.

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25 ² The SVWU is not a party to this hearing. A review of the submitted Protests and Notices of Intent to Appear
26 (as revised) do not include a party of this name. Of note is that it is not until September 15 that a definitive list of the
27 parties calling themselves by the name SVWU is produced (see SVWU proposed grouping letter), a date well after
28 the deadlines for submitting protests, notices of intent to appear, or revising those initial notices has passed. The
testimony submitted under the name of SVWU does not provide sufficient reference to the actual parties it seeks to
represent. Because SVWU is not a party and the testimony, in its entirety, is confusing, vague, and lacks foundation
due to its lack of clear connection to parties properly included in this hearing it should be excluded and/or stricken.

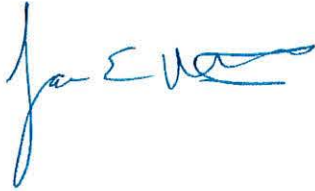
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CONCLUSION

For the reasons stated above and in the objections raised in the Master Objection, the case-in-chief includes pages of irrelevant testimony and supporting documents that should be excluded from this hearing.

Dated: September 21, 2016

CALIFORNIA DEPARTMENT OF WATER RESOURCES



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