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7		
8	BEFORE THE	
9	CALIFORNIA STATE WATER RESOURCES CONTROL BOARD	
10	HEARING IN THE MATTER OF	OBJECTIONS TO PETITIONERS'
11	CALIFORNIA DEPARTMENT OF WATER RESOURCES AND UNITED STATES	EVIDENCE
12	BUREAU OF RECLAMATION	
13	REQUEST FOR A CHANGE IN POINT OF DIVERSION FOR CALIFORNIA WATER	
14	FIX	
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	OBJECTIONS TO PETITIONERS' EVIDENCE	

These objections are submitted on behalf of protestant Islands Inc. ("Islands"). Islands 1 2 lodge the following evidentiary objections to the testimony and other evidence submitted by Petitioners California Department of Water Resources ("DWR") and United States Bureau of 3 Reclamation ("BOR") in support of their Petition for Change in Point of Diversion. 4 5 **Islands Objections** 1. Exhibit DWR-1: Lack foundation; improper opinion on water rights injury. 6 2. Exhibit DWR-3: Faills to address return flows, riparian rights and transportation 7 8 losses. 3. Exhibit DWR-5: Fails to model riparian rights and fails to address drop in water level 9 of over 1.0 feet as it affects water right owners. 10 4. Exhibit DWR 51: Lacks foundation, improper opinion, unqualified expert, offers 11 12 legal opinions, speculative. 13 5. Exhibit DWR 52: Cumulative, irrelelvant. 6. Exhibit DWR 53: Lacks foundation, improper opinion, unqualified expert, offers legal 14 15 opinions, speculative re: Biop. 7. Exhibit DWR 57: Lacks foundation, improper opinion, unqualified expert, offers legal 16 opinions, speculative. 17 8. Exhibit DWR 58: Lacks foundation, improper opinion, unqualified expert, offers legal 18 opinions, speculative. 19 9. Exhibit DWR 60: Lacks foundation, improper opinion, unqualified expert, offers legal 20 opinions, speculative. 21 10. Exhibit DWR 61 :Lacks foundation, improper opinion, unqualified expert, offers 22 legal opinions, speculative. 23 11. Exhibit DWR 62: Lacks foundation, improper opinion, unqualified expert, offers 24 25 legal opinions, speculative. 12. Exhibit DWR 64: Lacks foundation, improper opinion, unqualified expert, offers 26 legal opinions, speculative. 27 28 **OBJECTIONS TO PETITIONERS' EVIDENCE**

13. Exhibit DWR 66: Lacks foundation, improper opinion, unqualified expert, offers 1 2 legal opinions, speculative. 14. Exhibit DWR 67: Lacks foundation, improper opinion, unqualified expert, offers 3 legal opinions, speculative. 4 15. Exhibit DWR 69: Lacks foundation, improper opinion, unqualified expert, offers 5 legal opinions, speculative. 6 16. Exhibit DWR 70: Lacks foundation, improper opinion, unqualified expert, offers 7 legal opinions, speculative. 8 17. Exhibit DWR 71: Lacks foundation, improper opinion, unqualified expert, offers 9 legal opinions, speculative. 1018. Exhibit DWR 72: Lacks foundation, improper opinion, unqualified expert, offers 11 legal opinions, speculative. 12 19. Exhibit DWR 73: Lacks foundation, improper opinion, unqualified expert, offers 13 legal opinions, speculative. 14 20. Exhibit DWR 106: Lacks foundation, improper opinion, unqualified expert, offers 15 legal opinions, speculative, irrelevant. 16 21. Exhibit DWR 107: Lacks foundation, improper opinion, unqualified expert, offers 17 18 legal opinions, speculative, irrelevant. 22. Exhibit DWR 113: Lacks foundation, improper opinion, unqualified expert, offers 19 20 legal opinions, speculative, irrelevant. 23. Exhibit DWR 116: Lacks foundation, improper opinion, unqualified expert, offers 21 legal opinions, speculative, irrelevant. 22 24. Exhibit DWR 117: Lacks foundation, improper opinion, unqualified expert, offers 23 legal opinions, speculative. 24 25. Exhibit DWR 201: Lacks foundation, improper opinion, unqualified expert, offers 25 legal opinions, speculative. 26 26. Exhibit DWR 203: Lacks foundation, improper opinion, unqualified expert, offers 27 legal opinions, speculative. 28

OBJECTIONS TO PETITIONERS' EVIDENCE

27. Exhibits DWR 212-217: Lacks foundation, improper opinion, unqualified expert, 1 2 offers legal opinions, speculative. 28. Exhibit DWR 218: Lacks foundation, improper opinion, unqualified expert, offers 3 legal opinions, speculative. 4 29. Exhibit DWR 219: Lacks foundation, improper opinion, unqualified expert, offers 5 legal opinions, speculative. 6 7 30. Exhibit DWR 220: Lacks foundation, improper opinion, unqualified expert, offers 8 legal opinions, speculative. 31. Exhibit DWR 311: Lacks foundation, improper opinion, unqualified expert, offers 9 10legal opinions, speculative. 32. Exhibit DWR 505: Lacks foundation, improper opinion, unqualified expert, offers 11 12 legal opinions, speculative. 33. Exhibit DWR 507: Lacks foundation, improper opinion, unqualified expert, offers 13 legal opinions, speculative. 14 34. Exhibits DWR 511-515: Lacks foundation, improper opinion, unqualified expert, 15 offers legal opinions, speculative. 16 35. Exhibit DOI 4: Lacks foundation, improper opinion, unqualified expert, offers legal 17 18 opinions, speculative. 36. Exhibit DOI 5:Lacks foundation, improper opinion, unqualified expert, offers legal 19 opinions, speculative. 20 21 37. Exhibit DOI 6: Lacks foundation, improper opinion, unqualified expert, offers legal opinions, speculative. 22 38. Exhibit DOI 7: Lacks foundation, improper opinion, unqualified expert, offers legal 23 24 opinions, speculative. 39. Exhibits DOI 10-31: Lacks foundation, improper opinion, unqualified expert, offers 25 legal opinions, speculative. 26 27 28 **OBJECTIONS TO PETITIONERS' EVIDENCE**

Respectfully submitted, Hanson Bridgett LLP Dated: July 12, 2016 425 Market Street, 26th Floor San Francisco, CA 94105 Telephone: 415-995-5001 mvanzandt@hansonbridgett.com Michael J. Van Zandt Attorneys for Islands, Inc. **OBJECTIONS TO PETITIONERS' EVIDENCE**

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):

OBJECTIONS TO PETITIONERS' EVIDENCE

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 <u>7/12/16</u>, 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:

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:_____

Date

Signature:

Name: Keith Kiley Title: Legal Secretary Party/Affiliation: Islands, Inc. Address: Hanson Bridgett LLP 425 Market Street, 26th Floor San Francisco, CA 94105