

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):

CDFW Objection to Notice to Department of Fish and Wildlife Pursuant to Government Code Section 11450.50 for Department of Fish and Wildlife Witnesses to Appear at WaterFix Hearing

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 October 20, 2017, 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: _____
--	---------------------------------

I certify that the foregoing is true and correct and that this document was executed on 11/6/2017
Date

Signature: Xochitl Miranda

Name: Xochitl Miranda

Title: Office Technician

Party/Affiliation: California Dept. of Fish and Wildlife

Address: 1416 Ninth Street, Suite 1341
Sacramento, CA 95814



November 6, 2017

Deirdre Des Jardins
145 Beel Drive
Santa Cruz, CA 95060
ddj@cah2oresearch.com

Dear Ms. Des Jardins:

This letter responds to your *Notice to Department of Fish and Wildlife Pursuant to Government Code Section 11450.50 for Department of Fish and Wildlife Witnesses to Appear at WaterFix Hearing*, dated October 13, 2017 (Notice). The Notice requests and demands that the California Department of Fish and Wildlife (CDFW) produce one named witness and an unspecified number of other unnamed witnesses to attend the State Water Resources Control Board (State Board) California WaterFix Change Petition Hearing at an unspecified time and date.

The Notice asserts that it is made under the authority of Government Code section 11450.50. This code section provides:

In the case of the production of a party to the record of a proceeding or of a person for whose benefit a proceeding is prosecuted or defended, the service of a subpoena on the witness is not required if written notice requesting the witness to attend, with the time and place of the hearing, is served on the attorney of the party or person.

(Govt. Code, § 11450.50, subd. (a).)

CDFW objects to the Notice and considers it insufficient to require CDFW employees to appear at an unspecified time and date before the Board. Government Code section 11450.50, subdivision (a) applies to the production of a party to the record of a proceeding before the Board. CDFW withdrew as a party to the California WaterFix Change Petition Hearing by submitting a Supplemental Notice of Intent to Appear to the Board, with service to the Service List on September 9, 2017. As specified in that supplemental notice, CDFW will participate only as an interested person presenting a policy statement. Therefore, CDFW is not subject to the subpoena exemption described in Government Code, section 11450.50, subdivision (a).

CDFW considers the Notice to create no obligation on the part of CDFW or its employees, and will provide no further response to it.

Sincerely,


Shannon Little
Staff Counsel

CC: California WaterFix Change Petition Hearing Team