

Clifton Court, L.P.  
3619 Land Park Drive  
Sacramento, CA 95818

January 5, 2017

Hearing Chair Tam Doduc  
Hearing Officer Felicia Marcus  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812—0100

Re: Response to DWR's Objections to Exhibits Submitted in Support of Protestants' Cases-In-Chief

Dear Chair Doduc and Officer Marcus:

On January 3, 2017 I received by mail, DWR's written objections to most of Clifton Court, L.P.'s exhibits submitted to the California WaterFix hearing. DWR choose to neglect to object to our Case-In-Chief exhibits in their September 21, 2016 filing. They choose to neglect to object to our Case-In-Chief exhibits during our testimony on December 13, 2016 when both Sheldon Moore and I were available for cross examination.

DWR's WaterFix case was carefully crafted by many lawyers to convince the State Water Resource Control Board that moving points of water diversion would injure no legal users of water. Furthermore, they have promised that if any injuries occur, injured parties will be made whole.

DWR claims that CCLP-16 lacks relevance. In fact, the change in diversion paperwork with accompanying I.D. and location in our exhibit clearly shows that our farm's water diversions are not listed in the WaterFix. This is in violation of the information required under Title 23 of the California Code and Regulations section 794 (a) (7)

(7) Any changes in property ownership(s) involved, and the point(s) of diversion and place(s) of use of other known users of water who may be affected by the proposed change(s);

As you know from reading our testimony and exhibits, as well as listening to our summarized case, our farm is at the apex of both the State and Federal pumps for their current water projects and the planned WaterFix. Our Case-In-Chief was designed to show the ongoing injury that DWR's and Reclamation's neglect has caused our farm during most of our 55 years at Clifton Court. We believe that all our exhibits (CCLP 01-20) show not only correspondence and our requests for help and compensation for injuries, but also pictures. We have bills and

canceled checks of money we spent just to correct damages/injuries caused by SWP & CVP so that we could farm. We have not been made whole and in fact have been ignored for years. Unfortunately, our injuries are ongoing and cost us time and money every year. When will we be made whole? Clearly how DWR makes people whole who suffer injuries due to SWP operations should be an indicator of how they will make people whole under the WaterFix. Actions speak louder than words!

CCLP-05 shows that DWR will pay over \$3,000,000 to dredge River's End boat harbor, however our injuries are ignored. Why aren't all injuries paid for? Who decides which injuries to pay for? Will the WaterFix continue this unequal treatment of people?

DWR believes that our injuries have nothing to do with the WaterFix. According to DWR the WaterFix will take all of our farm except for our island. However, from past experience, we know DWR and Reclamation do not always do as they say. In the 1960's, although all of our land was condemned for the SWP, only half was taken. In 2002, after three years of negotiations, the Bureau of Reclamation "suspended efforts to acquire" our land (CCLP-19pg.10). No one can say with certainty how much land will be taken by the WaterFix and what types of injuries will continue. We would simply like to be made whole for our injuries – past, present, and future.

DWR questions the relevance of squirrel damage to the WaterFix project. Squirrels love water projects. At Clifton Court Forebay, they live in the banks of the Forebay, get their water from the Forebay, and eat our crops. In 1990 we had over \$26,000 worth of injury. (CCLP-19pg.1) DWR supplies two of the necessary three components for survival. CCLP-19 contains many pleas for help as well as replies. We are waiting to be made whole. Is this how DWR will operate the WaterFix?

Finally, CCLP-20 shows how DWR dealt with our 2011-12 squirrel damages. We filed forms given to us by Alan Davis, DWR. Our claim with the California VCGCB was rejected "because the issues presented are complex and outside the scope of analysis and interpretation typically undertaken by the Board." We were asking for reimbursement for a check we wrote our tenant for \$30,000, approximately half of the over \$60,000 worth of expenses paid for squirrel damages. We attended the hearing and were told that we would have to sue the State because our claim was too high. Julie Nauman wrote a letter to Director Cowin and asked that he meet with us and compensate us for our losses. We never heard from Director Cowin. CCLP-20 is an example of DWR's compensation process. This is the same process they plan to use with the WaterFix. DWR believes CCLP-20 is not relevant.

We know we are but a small drop in the bucket of California's water fix mess, however we hope our exhibits and testimony will help insure that all people who are injured by the WaterFix will be treated justly and will be adequately compensated for their time and injuries.

Sincerely,  
Suzanne Womack, General Partner, Clifton Court, L.P.

**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):

Response to DWR's Objections to  
Exhibits Submitted in Support of  
Protestants' Cases-in-Chief

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 January 5, 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](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:** N/A

I certify that the foregoing is true and correct and that this document was executed on January 5, 2017  
Date

Signature: 

Name: Suzanne Womack

Title: General Partner

Party/Affiliation: Clifton Court, L.P.

Address: 3619 Land Park Drive  
Sacramento, CA 95818