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11 DISTRICT

12 **BEFORE THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

13 In the matter of Hearing re California )  
14 WaterFix Petition for Change, )  
15 ) **TESTIMONY OF TED TRIMBLE ON**  
16 ) **BEHALF OF WESTERN CANAL WATER**  
17 ) **DISTRICT**  
18 )  
19 )  
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22 )  
23 )

24 This testimony is being offered on behalf of the Western Canal Water District (WCWD).

25 **I. BACKGROUND AND QUALIFICATIONS**

26 My name is Ted Trimble and I am the General Manager of WCWD. I have served in this  
27 capacity for 13 years and have been employed by WCWD since 1992. Prior to serving as  
28 General Manager, I served as Special Projects Manager and Assistant General Manager. As a  
long-time employee and current general manager for WCWD, I am aware of WCWD's water  
use, water rights, contract administration, and general operations, including preparation and  
submission of required reports for WCWD's water rights. I am responsible for the day-to-day  
operations of WCWD.

**II. PURPOSE AND ORGANIZATION**

The purpose of my testimony is to identify the water rights held and claimed by WCWD  
that are subject to injury by the proposed California WaterFix Project. This testimony is not an  
exhaustive history or listing of the various water rights that are claimed by WCWD.

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1 **III. BACKGROUND**

2 WCWD was formed by a vote of landowners on December 18, 1984 as a California water  
3 district, and currently encompasses a land area of approximately 67,500 acres, of which  
4 approximately 58,982 acres are irrigable. The pre-1914 surface water rights of WCWD  
5 comprises 150,000 acre feet of natural flow from the Feather River and an additional 145,000  
6 acre feet in contractual rights to releases by Pacific Gas & Electric Co. (PG&E) of stored water  
7 from reservoirs upstream of Lake Oroville.

8 **IV. WATER RIGHTS OF WCWD**

9 WCWD is a California water district formed and operating pursuant to Division 13 of  
10 California Water Code (Wat. Code, § 34000, et seq.).

11 WCWD owns and operates a water distribution system for agricultural and other  
12 beneficial uses to an area located within Butte and Glenn counties. The water supply for the  
13 Western System is derived from rights to divert from the Feather River, Butte Creek, and other  
14 sources. As relevant in this proceeding, WCWD claims a right to use water based on a pre-1914  
15 appropriate right, contractual rights with PG&E to stored water upstream of Lake Oroville and  
16 the 1986 Agreement on Diversion of Water.

17 WCWD's rights to water from the Feather River is memorialized in the three party  
18 "Agreement on Diversion of Water From the Feather River" dated January 17, 1986 ("1986  
19 Agreement") entered into by and between WCWD, the State of California acting by and through  
20 the Department of Water Resources ("State"), and PG&E. The 1986 Agreement memorializes  
21 WCWD's right to certain quantities of water in the Irrigation Season known as the "natural flow  
22 rights" and "stored water rights". WCWD also has certain rights to water in the non-Irrigation  
23 Season. A true and correct copy of the 1986 Agreement is attached hereto as Exhibit MLF 56.

24 These rights and entitlements are reported in State Water Resources Control Board  
25 (SWRCB) Statements of Diversion and Use. As General Manager of WCWD, I am responsible  
26 for the preparation and submission of the statements. True and correct copies of the Statements  
27 for the period of 2011 through 2015 are attached as Exhibits MLF 57-61.

28 The 1986 Agreement references and incorporates provisions of the May 27, 1969

1 Agreement by and between the State and PG&E ("1969 Agreement"). A true and correct copy  
2 of the 1969 Agreement is attached hereto as Exhibit MLF 62.

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4 **IV. INJURY TO WCWD**

5 Please refer to the expert testimony of MBK Engineers, specifically Marc Van Camp,  
6 Walter Bourez, Dan Easton and Lee Bergfeld for the injury suffered by WCWD resulting from  
7 the proposed California WaterFix project.

8 I declare under penalty of perjury under the laws of the State of California that the  
9 foregoing is true and correct.

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11 Executed this 30<sup>th</sup> day of August, 2016, in Nelson, California.

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15   
16 TED TRIMBLE