

1 Thomas M. Berliner (SBN 83256)  
2 Jolie-Anne S. Ansley (SBN 221526)  
3 **DUANE MORRIS LLP**  
4 Spear Tower  
5 One Market Plaza, Suite 2200  
6 San Francisco, CA 94105-1127  
7 Telephone: +1 415 957 3000  
8 Fax: +1 415 957 3001  
9 E-mail: tmberliner@duanemorris.com  
10 jsansley@duanemorris.com

11 Stefanie D. Morris (SBN 239787)  
12 **State Water Contractors**  
13 1121 L. St., Suite 1050  
14 Sacramento, CA 95814-3974  
15 Telephone: +1 916 447 7357  
16 Fax: +1 916 447 2734  
17 E-mail: smorris@swc.org

18 Attorneys for State Water Contractors

19 **BEFORE THE**  
20 **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

21 ENFORCEMENT ACTION ENF01949 -  
22 DRAFT CEASE AND DESIST ORDER  
23 REGARDING UNAUTHORIZED OR  
24 THREATENED UNAUTHORIZED  
25 DIVERSIONS OF WATER FROM OLD RIVER  
26 IN SAN JOAQUIN

27 DECLARATION OF STEFANIE D.  
28 MORRIS IN SUPPORT OF MOTION  
TO QUASH SUBPOENAS DUCES  
TECUM TO CHANDRA CHILMAKURI  
AND KYLE WINSLOW, OR, IN THE  
ALTERNATIVE, MOTION FOR  
PROTECTIVE ORDER

29 In the Matter of ENFORCEMENT ACTION  
30 ENF01951 - ADMINISTRATIVE CIVIL  
31 LIABILITY COMPLAINT REGARDING  
32 UNAUTHORIZED DIVERSION OF WATER  
33 FROM THE INTAKE CHANNEL TO THE  
34 BANKS PUMPING PLANT (FORMERLY  
35 ITALIAN SLOUGH) IN CONTRA COSTA  
36 COUNTY

37 I, Stefanie D. Morris, do hereby declare:

38 1. I am an attorney at law licensed to practice before the courts of the State of  
39 California. I am general counsel for State Water Contractors ("SWC"), a party to the above-  
40 referenced proceedings. I have personal knowledge of the matters stated herein, except

1 as to matters therein stated on information and belief, and as to those matters I believe  
2 them to be true, and if called upon could competently testify thereto.

3 2. CH2M Hill was retained as a technical consultant by SWC and SWC member  
4 agency Metropolitan Water District of Southern California ("MWD") for the purpose of  
5 analyzing conditions in the Delta in response to pending and threatened disputes, including  
6 disputes involving BBID. CH2M Hill's work is at the direction of in-house counsel for SWC  
7 and MWD.

8 3. I am informed and believe that Kyle Winslow and Chandra Chilmakuri are  
9 employed as engineers by CH2M Hill, and are not custodians of records for CH2M Hill.

10 4. If CH2M Hill is required to produce documents pursuant to the subpoenas  
11 duces tecum to Chandra Chilmakuri and Kyle Winslow, SWC would be required to expend  
12 significant hours of its own counsels' time reviewing potentially responsive documents for  
13 privilege and making appropriate objections to protect its attorney work product.

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

16 Executed on 2nd day of March, 2016 in Truckee, California.

17  
18 

19  
20 \_\_\_\_\_  
Stefanie D. Morris

21  
22 DM2\6581537.1