


From: Dan Kelly dkelly@somachlaw.com 
Subject: Re: Zone 7 - BBID Transfer Proposal
Date: June 17, 2015 at 4:26 PM
To: Crothers, Cathy@DWR Cathy.Crothers@water.ca.gov
Cc: Rick Gilmore r.gilmore@bbid.org

DK

Cathy -

I just talked with Rick Gilmore and he informs me that Rob Cooke notified him that the Zone 7 exchange was rejected by DWR - perhaps due to objections by certain Contractors. With that - I see no need for a call. Thank you for reaching out.

Regards,
Dan

On Jun 17, 2015, at 12:52 PM, Crothers, Cathy@DWR <Cathy.Crothers@water.ca.gov> wrote:

Dan,

I suggest we arrange a call to discuss the BBID proposal. I am available tomorrow 8:30-11 or 1:30.
thanks

Cathy L. Crothers
Chief Counsel
Office: 916.653.5613
Cell: 916.208.6653



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From: Dan Kelly [mailto:dkelly@somachlaw.com]
Sent: Tuesday, June 16, 2015 7:44 PM
To: Crothers, Cathy@DWR
Cc: Rick Gilmore; Duerig, Jill; Cooke, Robert@DWR; aflores@zone7water.com; Chapman, Eric@SWC; Mahoney, Carol; Torgersen, Carl@DWR; Johns, Jerry@DWR; Moon, Laura K.@DWR; Stuart Somach; Aaron Ferguson; Amy.Warshauer@asm.ca.gov; David.Stammerjohan@asm.ca.gov
Subject: Re: Zone 7 - BBID Transfer Proposal

Cathy -

We need to bring resolution to this exchange. BBID has been trying for quite some time to get some kind of deal done to get some much needed water to lands within BBID. The situation is now critical - there is no time to continue a back and forth about eligible crops contained in the "Draft White Paper."

Zone 7 and BBID are in agreement on the terms of this exchange. If this gets held up because of the Draft White Paper and BBID is again prevented from obtaining critical water supplies - BBID will have no option but to also name DWR in litigation we will likely file later this week and challenge the use of the Draft White Paper as an illegal underground regulation among

and challenge the use of the White Paper as an illegal underground regulation, among other things.

I suggest we move forward and if we have disagreement about any particular crop - we can try to work through those issue when that time comes. We simply do not have time to resolve those issues now.

Dan

<image002.gif>

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On Jun 16, 2015, at 12:19 PM, "Rick Gilmore" <r.gilmore@bbid.org> wrote:

Rob,

Please see the attached letter of May 29 to Laura King Moon and the excel file of crop data by APN which was provided to Jerry Johns on May 20, 2015.

I am sure most of you have already seen the data, but perhaps not. As Jill indicated, we can argue about a particular crop not being listed in the White Paper later.

Rick Gilmore
General Manager
Byron Bethany Irrigation District
Byron Sanitary District
7995 Bruns Road
Byron, CA 94514-1625
Direct: 209-608-1428
Office: 209-835-0375
Facsimile: 209-835-2869

From: Duerig, Jill [mailto:jduerig@zone7water.com]
Sent: Tuesday, June 16, 2015 10:14 AM
To: Cooke, Robert@DWR; Flores, Amparo
Cc: Chapman, Eric@SWC; Mahoney, Carol; Rick Gilmore (r.gilmore@bbid.org); Torgersen, Carl@DWR; Crothers, Cathy@DWR
Subject: RE: Zone 7 - BBID Transfer Proposal

Is this information really needed right now? Is it being requested of everyone who is pursuing transfers?

From: Cooke, Robert@DWR [mailto:Robert.Cooke@water.ca.gov]
Sent: Tuesday, June 16, 2015 10:10 AM
To: Flores, Amparo
Cc: Duerig, Jill; Chapman, Eric@SWC; Mahoney, Carol; Rick Gilmore (r.gilmore@bbid.org); Torgersen, Carl@DWR; Crothers, Cathy@DWR
Subject: RE: Zone 7 - BBID Transfer Proposal

Amparo,

Thank you for the information. This is helpful. We are processing this transfer. In addition to the information requested in my June 12, 2015 email, please provide a list of the annual crops grown within BBID that are suitable for crop idling consistent with the DWR and Reclamations Water Transfer White Paper along with an estimate of the total acreage for each eligible crop. The requested information is necessary to estimate the capacity of BBID to complete the exchange in future years. A copy of the White Paper is available at http://www.water.ca.gov/watertransfers/docs/2015_Water_Transfer_White_Paper.pdf

This is just a feasibility level analysis – as such, we don't need to know the exact acreage location and crops, just BBID's capacity to effectuate the return half of the exchange from the land owners that received the water.

Thanks,
Rob-

Robert Cooke, P.E. | Department of Water Resources | (916/653-4313) | cooke@water.ca.gov
Chief, State Water Project Analysis Office

From: Flores, Amparo [mailto:aflores@zone7water.com]
Sent: Monday, June 15, 2015 3:14 PM
To: Cooke, Robert@DWR
Cc: Duerig, Jill; Chapman, Eric@SWC; Mahoney, Carol; Rick Gilmore (r.gilmore@bbid.org); Torgersen, Carl@DWR; Crothers, Cathy@DWR
Subject: RE: Zone 7 - BBID Transfer Proposal

Rob,

Thank you for your prompt response to our proposal. As requested, attached is the letter agreement

Cc: Chapman, Eric@SWC; aflores@zone7water.com; Mahoney, Carol; Rick Gilmore (r.gilmore@bbid.org); Torgersen, Carl@DWR

Subject: Zone 7 - BBID Transfer Proposal

Please see attached.

<BBID DWR Proposal Letter May 29 2015 Copy to SWPAO.pdf><Crops and Usage Data by APN for SWPAO.xls>