

In the matter of Proposed Revocation of License 659 Hearing, Morongo Band of Mission Indians,  
Millard Canyon in Riverside County

I, Robert Been, declare as follows:

1. I am a Professional Civil Engineer registered in California, and was a Water Resources Control Engineer (WRCE) with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division). I have four years of experience in California water rights from February 1994 through May 1998, working within the Application and Petition (A&P) Unit of the Division. I have worked in the Division of Financial Assistance as a WRCE at the State Water Board from May 1998 to present.
2. From February 1994 through May 1998, I was a WRCE in the Application and Petition Section of the Division. Until 1996, I worked for Mr. Om Gulati, and from May 1996 through 1998, I worked for Mark Stretars. During my tenure, I worked on the change petition of License 659 and was the Division's staff contact for the Notice of Petition for License 659 (Application 553) dated November 16, 1995.
3. License 659 was assigned to me as the subject of a change petition filed on June 27, 1995, by Ferydoun and Doris Ahadpour (applicants). (WR Exhibit 30.) The petition for License 659 was not clear about (1) use of water and (2) amount of water used. I made a phone call to the applicants' representative, Mr. Mozafar Behzad, on October 16, 1995, to obtain a more complete description of the various alternatives of the proposed project and to confirm that the water had not been used during the last four years (since the purchase of the property by the applicants). Mr. Behzad stated that since 1991 the water had not been used by the applicants. Mr. Behzad also stated that the proposed project to develop a drinking water facility was in the planning stages at that time. The project alternatives being investigated included: (1) a water treatment facility at the project site, (2) a pipeline transporting the water to treatment facility, or (3) trucking the water to a treatment facility. WR Exhibit 32 is a copy of my October 16, 1995 contact report that I prepared about this telephone call with Mr. Behzad.
4. I noticed License 659 in the October 1995 Notice of a Petition to change "(1) Purpose of Use from irrigation to industrial, and (2) Reduce the Place of Use from 13 acres authorized for irrigation within Section 32, T2S, R2E, SBB&M to a water treatment facility. The site of the treatment facility will be determined later." WR Exhibit 33 is a copy of the Notice dated November 16, 1995.
5. After posting the Notice of Petition, I received one protest from the Morongo Tribe on January 12, 1996. WR Exhibit 34 is a copy of the Protest. The protest was not acted upon at that time and I worked on other priorities. I was not involved in any further water rights work related to License 659.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 27 day of April 2012, in Sacramento County, California.

Robert J. Been  
Name