



Valley Water

## CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT California Government Code Sections 900 and following

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<p><b>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</b></p> <p>Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118</p> <p>Or submit the completed form electronically to: clerkoftheboard@valleywater.org</p>	<p style="text-align: center;">Clerk of the Board's Date Stamp</p> <hr/> <p style="text-align: center;"><b>For SCVWD Use Only</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Date Received: <b>08/05/24</b></td> <td style="width: 50%; text-align: center;"><b>ROUTING</b></td> </tr> <tr> <td><input type="checkbox"/> Via U.S. Mail</td> <td><input checked="" type="checkbox"/> CEO</td> </tr> <tr> <td><input type="checkbox"/> Hand Delivered</td> <td><input checked="" type="checkbox"/> District Counsel</td> </tr> <tr> <td><input checked="" type="checkbox"/> Email</td> <td><input checked="" type="checkbox"/> Risk Management</td> </tr> <tr> <td><input type="checkbox"/> Other: _____</td> <td><input checked="" type="checkbox"/> COB</td> </tr> <tr> <td></td> <td><input checked="" type="checkbox"/> BOD (District #): <b>7</b></td> </tr> </table>	Date Received: <b>08/05/24</b>	<b>ROUTING</b>	<input type="checkbox"/> Via U.S. Mail	<input checked="" type="checkbox"/> CEO	<input type="checkbox"/> Hand Delivered	<input checked="" type="checkbox"/> District Counsel	<input checked="" type="checkbox"/> Email	<input checked="" type="checkbox"/> Risk Management	<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> COB		<input checked="" type="checkbox"/> BOD (District #): <b>7</b>
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*With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.*

Name of Claimant: <b>ROBERT LIU</b>		Email Address: <b>LIUROBERT703@GMAIL.COM</b>	
Address of Claimant: <b>756 ARROYO ROAD</b>		City: <b>LOS ALTOS</b>	State: <b>CA</b>
		Zip: <b>94024</b>	
Address to which Notices should be sent, if different from above:		City:	State:
		Zip:	
Home Phone Number:	Cell Phone Number: <b>650-823-7069</b>	Work Phone Number:	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss: <b>2020 to Present</b>	Location of incident or loss (address):	Is there a police report? <input type="checkbox"/> Yes If Yes, Po ice Report Case #: <input type="checkbox"/> No	

Describe how the incident or loss happened, and the reason you believe the Santa Clara Valley Water District is responsible for your damages (Please attach additional sheets if necessary):

*First reported at least back in 2020 to Valley Water that there were several sizeable Hale Creek concrete wall gaps/cracks in our shared property that allowed squirrels to tunnel and an earth patio foundation material to the surface. Oftentime the mounts were 12-18" in height. At the time my porch foundation was cracking. I consistently patched the tunnels with soil, rocks, water, etc to deter squirrels (sometimes with poisons) with no success since*



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In detail, describe the damage or injury (Please attach additional sheets if necessary):

the squirrels had escape routes through the concrete wall gaps. I have been working with Valley Water through present. Now my patio foundation is sinking. I lived in this property for 30+ years. These problems are observed in the recent 4-5 years. I did all the abatement I could but no success. The tunnel problems are even worst today. If Valley Water addressed the gap problems,

List Name(s) and contact information of any witness(es) or District employee involved (if any):

Christina Pilson (Employee)	Diver Dharasker (Employee)	in time, my patio & foundation won't be sinking.
Gennifer Wehrmeyer (Employee)	<del>Ray</del> Ray Brunner (Employee)	
Coleen Haggerty (Employee)	Glenn Micko (Employee)	

**DAMAGES CLAIMED:** Basis for computation of amounts claimed (include copies of bills, invoices, estimates, receipts, photos, police case # or other documentation.) Note: If your claim is more than \$10,000, you need not fill in an amount, but must state whether jurisdiction for the claim would be in the Limited Jurisdiction (up to \$25,000) or Unlimited jurisdiction of the Superior Court.

Is the amount of the claim under \$10,000?  Yes  No  
 Court Jurisdiction: (Check One)  Limited Civil  Unlimited Civil

ITEMS	CLAIM AMOUNT
1. Cracks and sinking patio (backyard under porch)	\$
2. Crack and sinkhole (Side yard)	\$
3. Cracks and sinking patio (not under porch)	\$
4.	\$
<b>TOTAL AMOUNT</b>	<b>\$</b>

**WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 550)**

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 5 day of August, 2021 [Signature]  
 Claimant's Signature

Government Code Section 945.6 provides that, with limited exceptions, any suit brought against a public entity must be commenced:

- (1) If written notice is given of a denial of claim in accordance with **Section 913**, not later than six months after the date such notice is personally delivered or deposited in the mail.
- (2) If written notice is not given of a denial of claim in accordance with **Section 913**, within two years from the accrual of the cause of action.

While a segment of the channel lining behind your home has been scheduled for repair, due to staff workload, channel repairs can only be performed in 2025 at the earliest. Please let me know if you wish to proceed with the fence replacement at this time. Valley Water will then begin circulating your fence cost share permit for review. Construction must be completed before the permit expiry date.

Any fence removal or damage caused by future channel repair operations will be replaced by Valley Water in kind.

Please let me know if you have any questions.

Thank you,

**Gennifer Wehrmeyer**

ASSISTANT ENGINEER, CIVIL

Community Projects Review Unit

Watershed Stewardship and Planning Division

[GWehrmeyer@valleywater.org](mailto:GWehrmeyer@valleywater.org)

Tel. (408) 630-2588 Cell. (408) 694-2069

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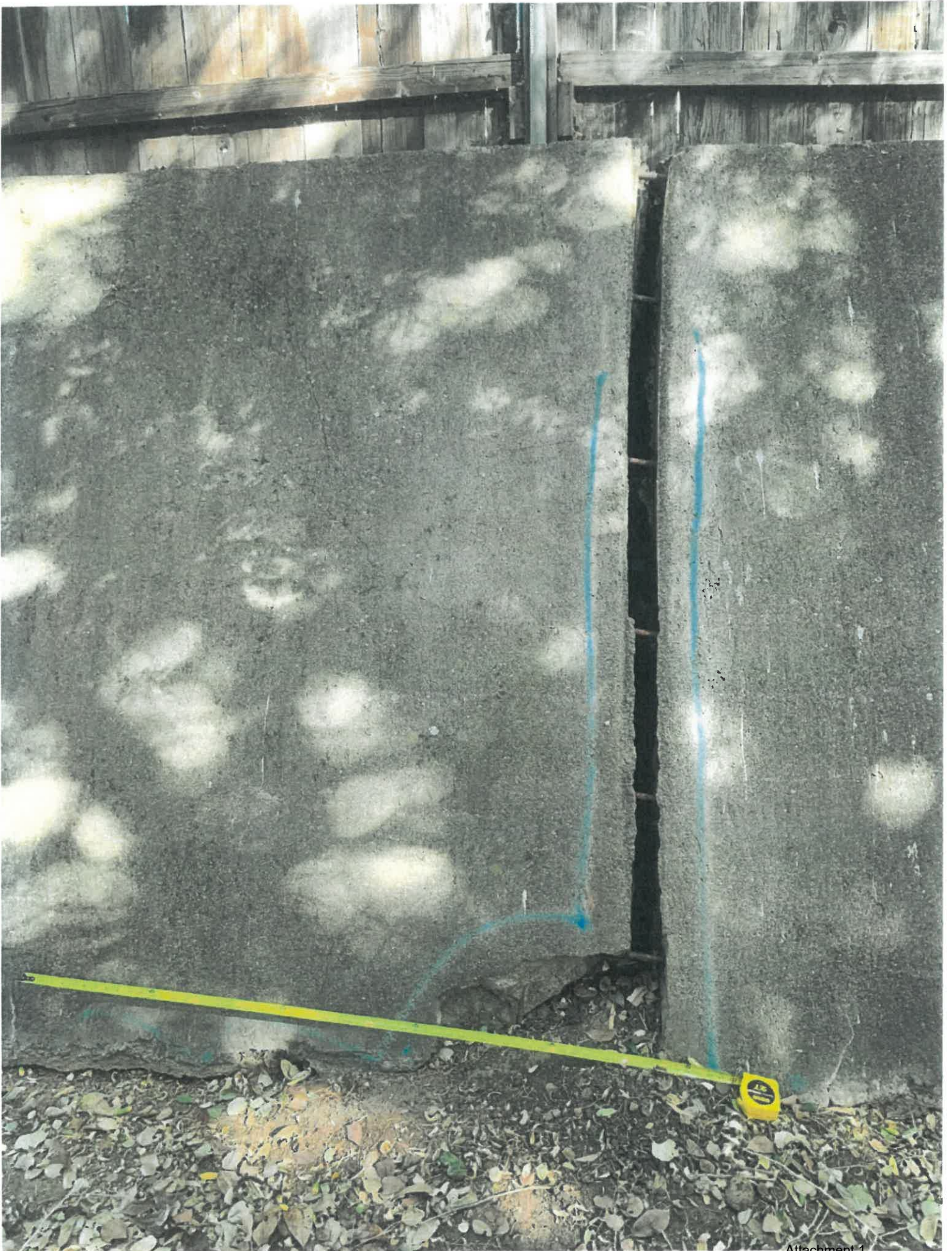
**SANTA CLARA VALLEY WATER DISTRICT**

5750 Almaden Expressway, San Jose CA 95118

[www.valleywater.org](http://www.valleywater.org)

Clean Water · Healthy Environment · Flood Protection

















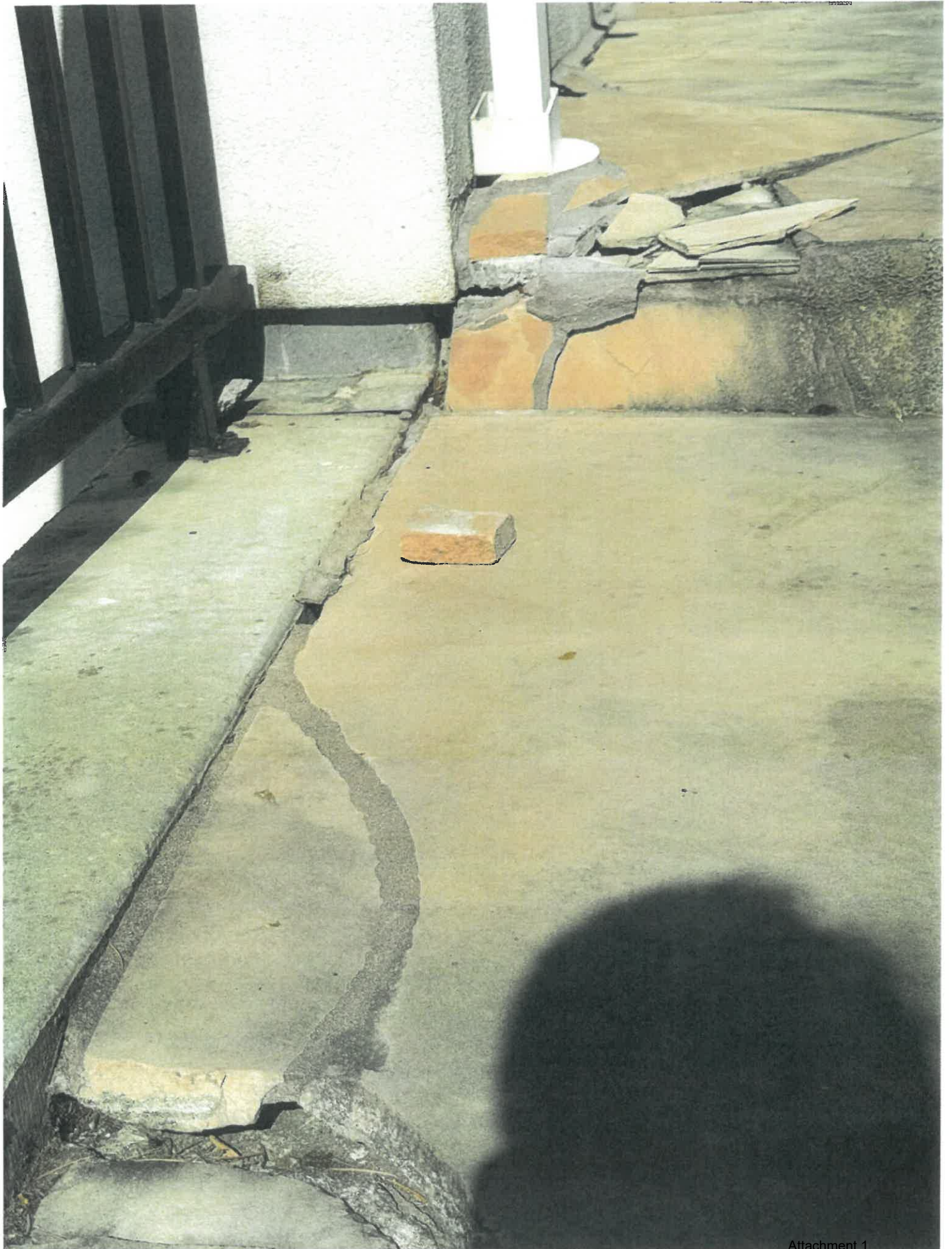








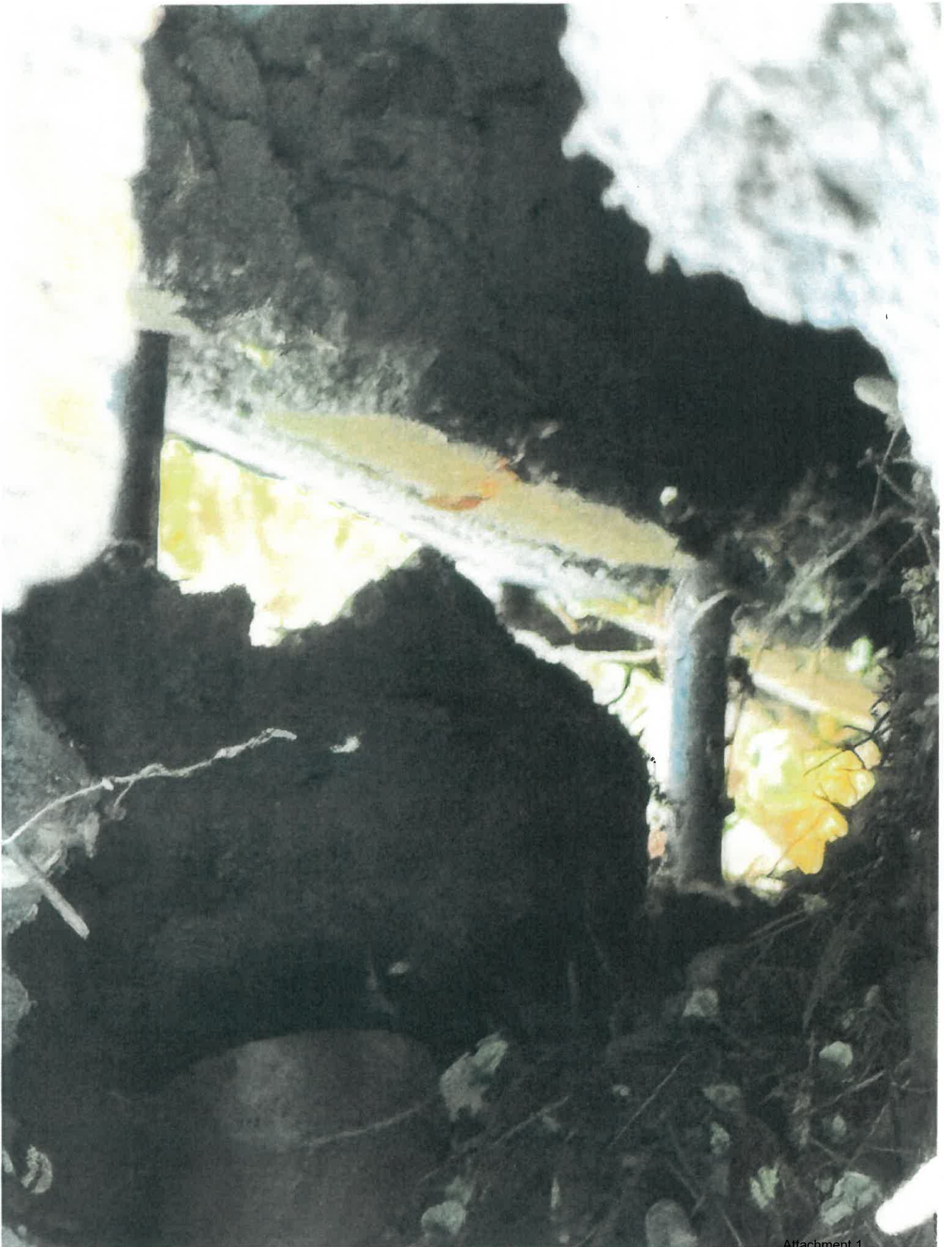


















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