

**DEPARTMENT OF WATER RESOURCES**

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December 12, 2018

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Jeff Sutton  
Tehema Colusa  
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Ryan Bezerra and Alan Lily  
Bartkiewicz, Kronick & Shanahan  
American River Water Agencies Group  
1011 22<sup>nd</sup> Street  
Sacramento, CA 95816

Dear Messrs. Bettner, Sutton, Peifer, Fecko, Bair, O'Brien, Bezerra, Coate, Ortega and White:

In recognition of the efforts by California to work collaboratively with the many parties involved in crafting solutions to help manage water resources, and to further our common goals of improving water supply reliability in California and to the protection, restoration, and enhancement of the Sacramento River and San Joaquin River watersheds and Delta ecosystem, the California Department of Water Resources memorializes here the expectation for actions by the various parties in recognition of the Addendum to the Coordinated Operations Agreement and the agreement reached with USBR regarding California WaterFix.

It is the State's expectation that the parties benefitting from the Addendum to the Coordinated Operations Agreement will take the following actions:

Withdraw all protests from the water rights proceeding pending before the State Water Resources Control Board, and refrain from filing protests or lawsuits at any point in the future for water rights processes associated with the California WaterFix;

Refrain from any challenge to, and withdraw from pending litigation over, the California WaterFix compliance with provisions of both the federal Endangered Species Act and California Endangered Species Act;

Refrain from any challenge to compliance with the 2009 Delta Reform Act or actions by the Delta Stewardship Council associated with the construction or operation of the California WaterFix;

Refrain from any challenge to, and withdraw from pending litigation over, the California WaterFix compliance with provisions of the California Environmental Quality Act and National Environmental Policy Act;

Refrain from any challenge to, and withdraw from pending litigation over, any State Water Project contract amendments; and,

Refrain from any challenge to, and withdraw from pending litigation over, any validation lawsuit filed in relation to the State Water Project as it may relate to the California WaterFix.

As we move forward, I look to you to continue to honor your commitment made in the course of our discussions, and expect your full cooperation in the actions listed above. These are important and necessary steps in continuing to have productive partnerships in managing our limited water resources.

Sincerely,



Karla A. Nemeth  
Director