

COMMITTEE ON NATURAL RESOURCES

Disclosure Form

As require by and provide for in House Rule X1, clause 2(g) and  
the Rules of the Committee on Natural Resources

*H.R. 1837, the "San Joaquin Valley Water Reliability Act"*

June 2, 2011

For Witnesses Representing Organizations:

1. Name: Thomas W. Birmingham
2. Name of Organization(s) You are Representing at the Hearing: Westlands Water District
3. Address: P.O. Box 6057, Fresno, California 93703
4. Business Email Address: [Information redacted for privacy]
5. Business Phone Number: [Information redacted for privacy]

Name/Organization: Thomas W. Birmingham/Westlands Water District

Title/Date of Hearing: *Creating Jobs by Overcoming Man-Made Drought: Time for Congress to Listen and Act*/ April 11, 2011

- a. Any training or educational certificates, diplomas or degrees or other educational experiences that are relevant to your qualifications to testify on the subject matter of the hearing.

I have Bachelors of Arts in political science from the University of California, Los Angeles, and a Juris Doctor, With Distinction, from the University of the Pacific, McGeorge School of Law. In addition, I have taken numerous continuing legal education courses on water law and the Endangered Species Act.

- b. Any professional licenses, certifications, or affiliations held that are relevant to your qualifications to testify on or knowledge of the subject matter of the hearing.

I am a member of the State Bar of California and admitted to numerous bars of United States courts, including the Supreme Court of the United States.

- c. An employment, occupation, ownership in a firm or business, or work-related experiences that relate to your qualifications to testify on or knowledge of the subject matter of the hearing.

I have practiced water law for approximately 25 years and for ten years have been the general manager of Westlands Water District. In these capacities I have become familiar with the operations of the Central Valley Project, the application of federal environmental laws to the application of the Central Valley Project, and irrigated agriculture on the westside of the San Joaquin Valley.

- d. Any federal grants or contracts (including subgrants or subcontracts) from the Department of the Interior (and/or other agencies invited) that you have received in the current year and previous four years, including the source and amount of each grant.

None

- e. A list of all lawsuits or petitions filed by you against the federal government in the current year and the previous four years, giving the name of the lawsuit or petition, the subject matter of the lawsuit or petition, and the federal statutes under which the lawsuit or petitions were filed.

None

- f. Any other information you wish to convey that might aid the Members of the Committee to better understand the context of your testimony.

None

In addition, for witnesses representing organizations:

- g. Any offices, elected positions, or representational capacity held in the organization(s) on whose behalf you are testifying:

General Manager

- h. Any federal grants or contracts (including subgrants or subcontracts) from the *Department of the Interior (and/or other agencies invited)* that were received in the current year and previous four years by the organization(s) you represent at this hearing, including the source and amount of each grant or contract for each of the organization(s).

In July 2009, Westlands Water District received a grant in the amount of \$7.5 million from the Bureau of Reclamation for groundwater well enhancement and rehabilitation. The source of this grant money was the American Recovery and Reinvestment Act of 2009. Westlands also holds several water service and Warren Act contracts with the United States that are administered by the Secretary of the Interior.

- i. A list of all lawsuits or petitions filed by the organization(s) you represent at the hearing against the federal government in the current year and the previous four years, giving the name of the lawsuit or petition, the subject matter of the lawsuit or petition, and the federal statutes under which the lawsuit or petitions were filed for each of the organization(s).

*San Luis & Delta Mendota Water Authority, et al., v. Salazar, et al., and San Luis & Delta Mendota Water Authority, et al., v. Locke, et al.,* both involving the application of the Endangered Species Act and the National Environmental Policy Act to the Central Valley Project. Both actions were filed under the Administrative Procedures Act.

- j. A list of any countries from which the organization(s) you represent at the hearing have received foreign donations and the total amount of donations received from each country, for the current year and the previous four years, by each organization(s).

None

- k. For tax-exempt organizations and non-profit organizations, copies of three most recent public IRS Form 990s (including Form 990-PF, Form 990-EZ) for each of the organization(s) you represent at the hearing (not including any contributor names and

addresses or any information withheld from public inspection by the Secretary of the Treasury under 26 U.S.C. 6104).)

Not Applicable