

September 26, 2016

VIA ELECTRONIC MAIL

Tam Doduc, Chair and Co-Hearing Officer
Felicia Marcus, Co- Hearing Officer
State Water Resources Control Board
1001 "I" Street
Sacramento, California 95814

Re: Cross Examination of Petitioners' Water Rights Panel by the City of Brentwood

Dear Hearing Officers Doduc and Marcus:

On September 22, 2016, the Chair graciously granted the City of Brentwood's request to be able to conduct cross-examination of the Petitioners' Water Rights panel of witnesses out of order due to the need for me to attend a court hearing in Southern California on an unrelated matter this past Friday.

This morning, I discussed the cross-examination of Petitioners' Water Rights panel of witnesses on Friday with my colleague Meredith Nikkel. Based on that discussion, it appears that the lines of cross-examination that Ms. Nikkel and Jennifer Spaletta pursued this past Friday anticipated the lines of cross examination that I would have pursued on behalf of the City of Brentwood regarding whether or not the operation of the WaterFix project would cause injury to in-Delta water right holders. In an effort to avoid duplication of cross-examination, therefore, the City of Brentwood hereby waives any further cross-examination of Petitioners' Water Rights panel of witnesses during Petitioners' case-in-chief. Of course, the City does not hereby waive any rights to cross-examine these same witnesses should Petitioners call them for rebuttal testimony or for testimony during Part 2.

Very truly yours,



David R.E. Aladjem

cc: Service List

STATEMENT OF SERVICE

CALIFORNIA WATERFIX PETITION HEARING
Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)

I hereby certify that I have this day submitted to the State Water Resources Control Board and caused a true and correct copy of the following document(s);

Letter dated 9/26/16 Re Cross Examination of Petitioners' Water Rights Panel by City of Brentwood

to be served by **Electronic Mail** (email) upon the parties listed in Table 1 of the **Current Service List** for the California WaterFix Petition Hearing, dated September 20, 2016, posted by the State of Water Resources Control Board at


http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml:

Note: In the event that any emails to any parties on the Current Service List are undeliverable, you must attempt to effectuate service using another method of service, if necessary, and submit another statement of service that describes any changes to the date and method of service for those parties.

For Petitioners Only:

	I caused a true and correct hard copy of the document(s) to be served by the following method of service to Suzanne Womack & Sheldon Moore, Clifton Court, L.P., 3619 Land Park Drive, Sacramento, CA 95818: Method of Service: _____
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I certify that the foregoing is true and correct and that this document was executed on September 26, 2016.

Signature: 

Name: Catharine Irvine

Title: Legal Secretary

Party/Affiliation: Downey Brand, LLP

Address: 621 Capitol Mall, Sacramento, CA 95814