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20 Attorneys for Protestant Local Agencies of the North Delta,
21 Friends of Stone Lakes National Wildlife Refuge and Specially Appearing for
22 Protestant Save Our Sandhill Cranes and Environmental Council of Sacramento for
23 Purposes of Presenting Part 2 Testimony

24 [Additional counsel listed on next page]

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BEFORE THE
CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

29 HEARING IN THE MATTER OF
30 CALIFORNIA DEPARTMENT OF WATER
31 RESOURCES AND UNITED STATES
32 BUREAU OF RECLAMATION'S
33 REQUEST FOR A CHANGE IN POINT OF
34 DIVERSION FOR CALIFORNIA WATER FIX

35 **SAN JOAQUIN COUNTY ET AL., LAND,**
36 **SACRAMENTO COUNTY ET AL., AND**
37 **CSPA ET AL. PROPOSED GROUPING**
38 **AND ORDERING OF PROTESTANTS FOR**
39 **REBUTTAL TESTIMONY AND**
40 **CROSS-EXAMINATION IN PART 2**

1 SOMACH SIMMONS & DUNN
2 A Professional Corporation
3 Andrew M. Hitchings (SBN 154554)
4 Aaron A. Ferguson (SBN 271427)
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12 Attorneys for County of Sacramento and Sacramento County Water Agency

13
14 MICHAEL B. JACKSON (SBN 53808)
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21 Attorneys for California Sportfishing Protection Alliance, California Water Impact Network, and
22 AquAlliance

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The following Proposed Grouping and Ordering of Protestants for rebuttal testimony and cross-examination in Part 2 is submitted on behalf of protestants County of San Joaquin, San Joaquin County Flood Control and Water Conservation District and Mokelumne River Water and Power Authority (“San Joaquin County et al.”), Local Agencies of the North Delta (“LAND”), County of Sacramento and Sacramento County Water Agency (“Sacramento County et al.”), Friends of Stone Lakes National Wildlife Refuge, Save Our Sandhill Cranes, Environmental Council of Sacramento, California Sportfishing Protection Alliance, California Water Impact Network, and AquAlliance (“CSPA et al.”) in compliance with the Hearing Officers’ June 18, 2018 Ruling.

Proposed Groupings and Order of Parties for Part 2 Rebuttal Testimony

(1) ADAPTIVE MANAGEMENT REBUTTAL FOCUS PANEL

Joint Part 2 Rebuttal Case of: San Joaquin County Protestants, Sacramento County et al., and LAND

Counsel: Osha Meserve, Aaron Ferguson, Thomas Keeling

NAME	SUBJECT OF PROPOSED REBUTTAL TESTIMONY	ESTIMATED LENGTH OF REBUTTAL TESTIMONY	EXPERT WITNESS (YES/NO)
Fraser Shilling, Ph.D.	Adaptive Management	20 minutes	YES
Tom Stokely	Adaptive Management	20 minutes	YES

Total time requested: 40 minutes
Proposed grouping position: Group 19

1 **(2) PUBLIC TRUST AND GROUNDWATER IMPACTS REBUTTAL FOCUS PANEL**

2 **Joint Part 2 Rebuttal Case of: San Joaquin County Protestants, California**
3 **Sportfishing Protection Alliance, California Water Impact Network, AquAlliance, and**
4 **LAND**

5 **Counsel: Thomas Keeling, Michael Jackson, Osha Meserve**

6 NAME	7 SUBJECT OF PROPOSED REBUTTAL TESTIMONY	8 ESTIMATED LENGTH OF REBUTTAL TESTIMONY	9 EXPERT WITNESS (YES/NO)
10 Tim Stroshane	Public Trust Requirements	20 minutes	YES
11 Brandon Nakagawa	Groundwater and Other Impacts of the Proposed Modifications in ADEIR/S	20 minutes	YES

12 *Total time requested: 40 minutes*

13 *Proposed grouping position: Group 31 (CSPA)*

14 **(3) FINANCIAL IMPACTS REBUTTAL FOCUS PANEL**

15 **Joint Part 2 Rebuttal Case of: San Joaquin County Protestants, South Delta**
16 **Water Agency, Central Delta Water Agency, County of Sacramento,**

17 **Counsel: John Herrick, Dean Ruiz, Aaron Ferguson, Thomas Keeling**

18 NAME	19 SUBJECT OF PROPOSED REBUTTAL TESTIMONY	20 ESTIMATED LENGTH OF REBUTTAL TESTIMONY	21 EXPERT WITNESS (YES/NO)
22 Jeffrey Michael, PhD	Financial Impacts of the Delta Tunnels	30 minutes	Yes

23 *Total time requested: 30 minutes*

24 *Proposed grouping position: Group 24 (San Joaquin County)*

1 **(4) TERRESTRIAL SPECIES AND BOATING REBUTTAL FOCUS PANEL**

2 **Joint Part 2 Rebuttal Case of: Save Our Sandhill Cranes, California Sportfishing**
3 **Protection Alliance, California Water Impact Network, AquAlliance**

4 **Counsel: Osha Meserve, Michael Jackson**

5 NAME	6 SUBJECT OF PROPOSED REBUTTAL TESTIMONY	7 ESTIMATED LENGTH OF REBUTTAL TESTIMONY	8 EXPERT WITNESS (YES/NO)
9 Sean Wirth	Terrestrial Species and Environmental Issues	20 minutes	Yes
10 David Fries, PhD	Terrestrial Species and Boating	30 minutes	Yes
11 Tom Williams, PhD	Supplemental EIR and Construction Impacts	30 minutes	

12 *Total time requested: 1 hour and 20 minutes*

13 *Proposed grouping position: Group 48 (SOSC)*

14 **(5) WESTLANDS WATER DISTRICT REBUTTAL**

15 **Joint Part 2 Rebuttal Case of: LAND and Pacific Coast Federation of Fisherman's**
16 **Associations and Institute for Fisheries Resources**

17 **Counsel: Osha Meserve and Stephan Volker**

18 NAME	19 SUBJECT OF PROPOSED REBUTTAL TESTIMONY	20 ESTIMATED LENGTH OF REBUTTAL TESTIMONY	21 EXPERT WITNESS (YES/NO)
22 Thomas Stokely	Wetlands Water District Contracts	20 minutes	Yes

23 *Total time requested for this witness: 20 minutes*

24 *Proposed grouping position: Group 38 (PCFFA)*

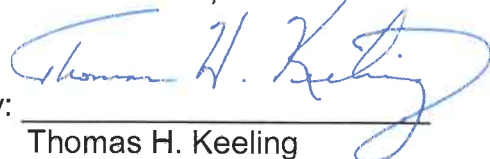
25 **Proposed Order of Parties for Cross-Examination**

26 With respect to the order of the groups for cross-examination, we propose that rebuttal
27 testimony and cross-examination in Part 2 Rebuttal generally proceed in the same order that
28 the Board established for the Part 2 Case in Chief presentations. Proposed grouping positions
for each panel/witness are listed above. The parties will continue to meet and confer to
attempt to accommodate witness scheduling and promote efficiency in the Hearing process.

Thank you for considering these requests and suggestions.

1 Dated: July 19, 2018

FREEMAN FIRM,



2
3 By:

4 Thomas H. Keeling
5 Attorneys for Protestants County of San Joaquin,
6 San Joaquin County Flood Control and Water
7 Conservation District, and Mokelumne River
8 Water and Power Authority

7 Dated: July 19, 2018

SOLURI MESERVE, A LAW CORPORATION,

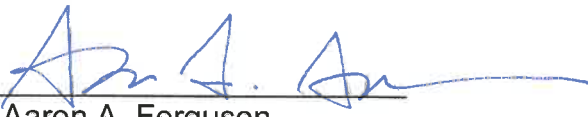


8
9 By:

10 Osha R. Meserve
11 Attorneys for Protestants Local Agencies of the
12 North Delta, and Specially Appearing for
13 Protestant Save Our Sandhill Cranes

12 Dated: July 19, 2018

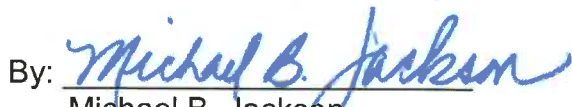
SOMACH SIMMONS AND DUNN,
A PROFESSIONAL CORPORATION



14
15 By:

16 Aaron A. Ferguson
17 Attorneys for Protestants
18 County of Sacramento and
19 Sacramento County Water Agency

18 Dated: July 19, 2018



20
21 By:

22 Michael B. Jackson
23 Attorneys for Protestants
24 California Sportfishing Protection Alliance,
25 California Water Impact Network, AquAlliance

1 **STATEMENT OF SERVICE**

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

4 I hereby certify that I have this day, July 18, 2018, submitted to the State Water
5 Resources Control Board and caused a true and correct copy of the following document:

6 **SAN JOAQUIN COUNTY ET AL., LAND, SACRAMENTO COUNTY ET AL., AND CSPA ET**
7 **AL. PROPOSED GROUPING AND ORDERING OF PROTESTANTS FOR REBUTTAL**
8 **TESTIMONY AND CROSS-EXAMINATION IN PART 2**

9 to be served by Electronic Mail (email) upon the parties listed in Table 1 of the Current Service
10 List for the California WaterFix Petition Hearing, dated July 3, 2018, posted by the State Water
11 Resources Control Board at

12 [https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_water
13 fix/service_list.shtml](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_water_fix/service_list.shtml)

14 I certify that the foregoing is true and correct and that this document was executed on
15 July 19, 2018.

16 Signature:  _____

17 Name: Mae Ryan Empleo

18 Title: Legal Assistant for Osha R. Meserve
19 Soluri Meserve, A Law Corporation

20 Party/Affiliation:

21 Local Agencies of the North Delta

22 Friends of Stone Lakes National Wildlife Refuge

23 Specially Appearing for Save Our Sandhill Cranes and
24 Environmental Council of Sacramento

25 Address:

26 Soluri Meserve, A Law Corporation

27 510 8th Street, Sacramento, CA 95814
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