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**Subject:** CWF Petition Hearing - Part 2 Rebuttal - Order of Presentation and Time Limits  
**Date:** Wednesday, August 1, 2018 9:21:16 AM  
**Attachments:** [20180801\\_cwfP2rebuttal\\_order.pdf](#)

\*\*\*Resending with correct attachment. Please disregard earlier email.\*\*\*

Service List and Interested Parties,

### Order of Rebuttal and Cross-Examination

The hearing officers have reviewed the proposed grouping assignments for joint rebuttal testimony and requests for order of presentation from multiple parties. The hearing officers appreciate the efforts of all the parties to coordinate presentation of witnesses' testimony. Attached is the Order of Presentation for Part 2 Rebuttal, which is scheduled to commence on **August 2, 2018**. Parties generally will present rebuttal in the order of their previously assigned group numbers, with certain exceptions based on the information received. The hearing officers have denied Sacramento Valley Water Users' request to reorganize the Petitioners' rebuttal panels.

Consistent with the hearing officers' prior rulings, notices of unavailability from parties will not be accepted. Parties should be ready to present their rebuttal testimony and exhibits when they are called. If a party cannot present on a particular day, it is that party's responsibility to coordinate with another party to take their place in line and give at least three days' notice to the hearing officers and the Service List. Proposals to present out of order are subject to approval by the hearing officers. The hearing officers may accommodate some changes to the order of appearance of parties' witnesses, provided that any changes do not delay the hearing schedule and the other parties are notified in advance. **The hearing team will not post changes or updates to the Order of Presentation on the WaterFix hearing website.** Rather, it is up to the parties to attend the hearing, check with other parties who were present at the hearing, or listen to the announcements on the webcast of the hearing for any changes to the order of presentation approved by the hearing officers.

Parties will conduct cross-examination in the same sequence as in Part 2 cases-in-chief. Prior to requesting a change in the order of cross-examination, parties must arrange with another party to take their place in line so that other parties are not affected. Proposals to cross-examine out of order are subject to approval by the hearing officers.

### Time Limits

Parties are encouraged to be efficient in presenting their rebuttal and in conducting cross-examination. Each rebuttal witness will be allowed up to 15 minutes to summarize his or her written testimony. Additional time will be granted only at hearing officer discretion and upon a showing of good cause. Parties may distribute the total time allowed for a witness panel to

summarize testimony (i.e., 15 minutes times the number of witnesses) among their panel witnesses as they see fit. Cross-examiners will be limited to **one hour** per witness or panel of witnesses. The hearing officers may allow additional time for cross-examination upon a showing of good cause.

Respectfully,

CA WaterFix Hearing Team

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[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/water\\_right\\_petition.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/water_right_petition.shtml)

# ORDER OF PRESENTATION FOR PART 2 REBUTTAL

## California WaterFix Petition Hearing

(August 1, 2018)

*NOTE: The hearing team will not post changes or updates to this Order of Presentation on the WaterFix hearing website. Rather, it is up to the parties to attend the hearing, check with other parties who were present at the hearing, or listen to the announcements on the webcast of the hearing for any changes to the order of presentation approved by the hearing officers.*

Order of Direct Testimony	Group	Party	Witness Panels
1 <sup>st</sup>	1 & 2	California Department of Water Resources (DWR) and U.S. Department of the Interior (DOI)	<ul style="list-style-type: none"> <li>▪ Gwen Buchholz (DWR)</li> <li>▪ John Bednarski (DWR)</li> <li>▪ Jason Volk (DWR)</li> <li>▪ Lauren Yoon (DWR)</li> <li>▪ Fred Choa (DWR)</li> <li>▪ Brandon Goshi (DWR)</li> </ul>
			<ul style="list-style-type: none"> <li>▪ Dr. Marin Greenwood (DWR)</li> <li>▪ Dr. Rick Wilder (DWR)</li> <li>▪ Dr. Chris Earle (DWR)</li> <li>▪ Michael Bradbury (DWR)</li> <li>▪ Kristin White (DOI)</li> <li>▪ Erik Reyes<sup>1</sup> (DWR)</li> <li>▪ Nancy Parker (DOI)</li> <li>▪ Dr. Chandra Chilamkuri (DWR)</li> <li>▪ Sergio Valles (DWR)</li> <li>▪ Dr. Corey Phillis (DWR)</li> </ul>
			<ul style="list-style-type: none"> <li>▪ Dr. Shawn Acuña (DWR)</li> <li>▪ Dr. Lenny Grimaldo (DWR)</li> <li>▪ Dr. Paul Hutton (DWR)</li> <li>▪ Dr. Charles Hanson (DWR)</li> <li>▪ Dr. Corey Phillis (DWR)</li> </ul>
2 <sup>nd</sup>	7	Sacramento Valley Water Users (SVWU)	<ul style="list-style-type: none"> <li>▪ Walter Bourez (SVWU)</li> <li>▪ Dr. Shankar Parvathinathan (SVWU)</li> </ul>
3 <sup>rd</sup>	44	Grassland Water District (GWD)	<ul style="list-style-type: none"> <li>▪ Ricardo Ortega (GWD)</li> </ul>
4 <sup>th</sup>	13	Sacramento Regional County Sanitation District (SRCSD)	<ul style="list-style-type: none"> <li>▪ Dr. Susan Paulsen (SRCSD)</li> </ul>
5 <sup>th</sup>	22	City of Stockton (STKN)	<ul style="list-style-type: none"> <li>▪ Dr. Susan Paulsen (STKN)</li> </ul>
6 <sup>th</sup>	27	City of Antioch (Antioch)	<ul style="list-style-type: none"> <li>▪ Dr. Susan Paulsen (Antioch)</li> </ul>
7 <sup>th</sup>	18	San Joaquin Tributaries Authority (SJTA)	<ul style="list-style-type: none"> <li>▪ Doug Demko (SJTA)</li> </ul>

<sup>1</sup> The hearing officers struck Mr. Reyes' written testimony (DWR-1226) in its entirety in their July 27, 2018 ruling letter. Mr. Reyes remains in the order of presentation for the purpose of presenting the second revised DWR-1143 and submitting to cross-examination about that exhibit in compliance with the hearing officers' [March 27, 2018](#) and [July 16, 2018](#) rulings.

**ORDER OF PRESENTATION FOR PART 2 REBUTTAL**  
**California WaterFix Petition Hearing (Continued)**  
**(August 1, 2018)**

<b>Order of Direct Testimony</b>	<b>Group</b>	<b>Party</b>	<b>Witness Panels</b>
8 <sup>th</sup>	19, 24, 45	Local Agencies of the North Delta, et al. (LAND), County of Sacramento (CoSac). County of San Joaquin, et al. (COSJ)	<ul style="list-style-type: none"> <li>▪ Dr. Fraser Shilling (LAND)</li> <li>▪ Thomas Stokely<sup>2</sup> (LAND)</li> </ul>
9 <sup>th</sup>	21	Central Delta Water Agency, South Delta Water Agency (SDWA)	<ul style="list-style-type: none"> <li>▪ Tom Burke (SDWA)</li> </ul>
10 <sup>th</sup>	21, 24, 45	Central Delta Water Agency, South Delta Water Agency (SDWA), County of San Joaquin, et al. (COSJ), County of Sacramento (CoSac)	<ul style="list-style-type: none"> <li>▪ Dr. Jeffrey Michael (SDWA)</li> </ul>
11 <sup>th</sup>	25	Contra Costa County and Contra Costa County Water Agency (CCC) and County of Solano (SC)	<ul style="list-style-type: none"> <li>▪ Dr. Richard Denton (CCC-SC)</li> </ul>
12 <sup>th</sup>	30	Save the California Delta Alliance (SCDA)	<ul style="list-style-type: none"> <li>▪ Frank Morgan (SCDA)</li> <li>▪ Bill Wells (SCDA)</li> <li>▪ Michael Brodsky (SCDA)</li> </ul>
13 <sup>th</sup>	19, 24, 31	California Sportfishing Protection Alliance, et al. (CSPA), County of San Joaquin, et al. (COSJ), Local Agencies of the North Delta, et al. (LAND)	<ul style="list-style-type: none"> <li>▪ Tim Stroshane (COSJ)</li> <li>▪ Brandon Nakagawa (COSJ)</li> </ul>
14 <sup>th</sup>	31	California Sportfishing Protection Alliance, et al. (CSPA)	<ul style="list-style-type: none"> <li>▪ Tom Cannon (CSPA)</li> <li>▪ Chris Shutes (CSPA)</li> </ul>
15 <sup>th</sup>	37	Deirdre Des Jardins (DDJ)	<ul style="list-style-type: none"> <li>▪ Tim Wehling<sup>3</sup></li> </ul>

<sup>2</sup> Mr. Stokely's testimony in this panel correspondences with exhibit LAND-266 Errata (Adaptive Management).

<sup>3</sup> Mr. Wehling's appearance will be scheduled in accordance with the hearing officers' [July 27, 2018 ruling](#). It may be necessary to interrupt the ordinary order of presentation to accommodate Mr. Wehling's appearance. The hearing officers or the hearing team will promptly notify the Service List of any changes to the hearing schedule.

**ORDER OF PRESENTATION FOR PART 2 REBUTTAL**  
**California WaterFix Petition Hearing (Continued)**  
**(August 1, 2018)**

<b>Order of Direct Testimony</b>	<b>Group</b>	<b>Party</b>	<b>Witness Panels</b>
<b>16<sup>th</sup></b>	38, 19	Pacific Coast Federation of Fishermen's Associations, et al. (PCFFA), Local Agencies of the North Delta, et al. (LAND)	<ul style="list-style-type: none"> <li>▪ Noah Oppenheim (PCFFA)</li> <li>▪ Deirdre Des Jardins (PCFFA)</li> <li>▪ Thomas Stokely<sup>4</sup> (LAND)</li> </ul>
<b>17<sup>th</sup></b>	39	North Delta C.A.R.E.S. (NDC)	<ul style="list-style-type: none"> <li>▪ Barbara Daly (NDC)</li> </ul>
<b>18<sup>th</sup></b>	41	Snug Harbor Resorts, LLC. (SHR)	<ul style="list-style-type: none"> <li>▪ Nicole Suard (SHR)</li> </ul>
<b>19<sup>th</sup></b>	43	Clifton Court, L.P. (CCLP)	<ul style="list-style-type: none"> <li>▪ Suzanne Womack (CCLP)</li> <li>▪ Sheldon Moore (CCLP)</li> </ul>
<b>20<sup>th</sup></b>	9	North Delta Water Agency et al. (NDWA)	<ul style="list-style-type: none"> <li>▪ Gary Kienlen (NDWA)</li> <li>▪ Dr. Shankar Parvathinathan (NDWA)</li> </ul>
<b>21<sup>st</sup></b>	45	County of Sacramento (CoSac)	<ul style="list-style-type: none"> <li>▪ Chrisandra Flores (CoSac)</li> <li>▪ Amber Veselka (CoSac)</li> </ul>
<b>22<sup>nd</sup></b>	48, 31, 37	Save Our Sandhill Cranes (SOSC), California Sportfishing Protection Alliance, et al. (CSPA), Deirdre Des Jardins (DDJ)	<ul style="list-style-type: none"> <li>▪ Sean Wirth (SOSC)</li> <li>▪ Dr. David Fries (CSPA)</li> <li>▪ Dr. C. Thomas Williams (DDJ)</li> </ul>

<sup>4</sup> Mr. Stokely's testimony in this panel corresponds with exhibit LAND-290-Errata (Rebuttal to Westland Water District).