Message

From: CWFhearing [CWFhearing@waterboards.ca.gov]
Sent: 8/1/2018 4:21:06 PM
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Subject: CWF Petition Hearing - Part 2 Rebuttal - Order of Presentation and Time Limits
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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Phone: 916-319-0960

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