

**NOTICE OF INTENT TO APPEAR**

**PART 1 WITNESS AMENDMENT SHEET<sup>1</sup>**

**Local Agencies of the North Delta, Bogle Vineyards/DWLC, Diablo Vineyards/DWLC, Stillwater Orchards/DWLC, Islands, Inc., San Joaquin County, San Joaquin County Flood Control and Water Conservation District, Mokelumne River Water and Power Authority, and Daniel Wilson** plan to participate in the water right hearing regarding:

**CALIFORNIA WATERFIX HEARING**  
**California Department of Water Resources and U.S. Bureau of Reclamation**

We **INITIALLY** planned to call the following witnesses to testify at **Part 1** of the hearing:

**(1) Local Agencies of the North Delta**  
**Counsel: Osha Meserve**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Osha Meserve	New water right/incomplete application	20	yes
Thomas Cannon	CVP/SWP Project Operations	10	yes
Erik Ringelberg	Injuries from WaterFix	10	yes
Stacy Boyd	RD/rowcropping injuries – northwest Delta	10	percipient
Mark Wilson	RD/vineyard injuries – north Delta	10	percipient
Cathy Hemly	RD/orchard injuries – north central Delta	10	percipient
Hal Huffsmith	RD/vineyard injuries – northeast Delta	10	percipient

**(2) Bogle Vineyards/Delta Watershed Landowner Coalition**  
**Counsel: Osha Meserve**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Warren Bogle	Vineyard operations	5	Percipient/expert
Stan Grant	Effect of water quality and other changes on vineyards	15	yes
Mark Battany	Effect of increased salinity on vineyards	15	yes
Erik Ringelberg	Injuries from WaterFix	15	yes
Kurt Balasek	Groundwater/Surface water interaction	10	yes

<sup>1</sup> This form first lists all of the information provided in the NOIs on January 5, 2016 (pp. 1-4), and then lists the proposed groupings of protestants' cases in chief to promote efficiency (pp. 5-6).

**(3) Stillwater Orchards/Delta Watershed Landowner Coalition**  
**Counsel: Osha Meserve**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Richard Elliot	Pear Farm Water Operations	10	Percipient/expert
Tom Wiseman	Effect of water quality and other changes on pears and fruit	20	yes
Expert TBA	Effect of increased salinity on pears	10	yes
Erik Ringelberg	Injuries from WaterFix	20	yes

**(4) Diablo Vineyards and Brad Lange/Delta Watershed Landowner Coalition**  
**Counsel: Osha Meserve**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Brad Lange	Vineyard Operations	5	Percipient/expert
Paul Verdegall	Viticultural concerns with water quality	15	Percipient/expert
Mark Battany	Effect of increased salinity and other changes on vineyards	20	yes
Erik Ringelberg	Injuries from WaterFix	20	yes

**(5) Islands, Inc.**  
**Counsel: Michael Van Zandt**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Thomas Hester	Agricultural water use on Ryer Island by Islands, Inc.	1 hour	No
Christopher Neudeck	Impacts from application on water rights and operations	2 hours	No
TBD	Agricultural Impacts on Ryer Island	2 hours	Yes

**(6) Daniel Wilson**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Daniel Wilson	Multiple Numbers/North Intake	1 hour	Yes

**(7) San Joaquin County, San Joaquin County Flood Control and Water Conservation District, and Mokelumne River Water and Power Authority  
Counsel: Kurtis C. Keller**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Brandon Nakagawa or Kris Balaji	Adverse impacts to San Joaquin County; County water demand and available water resources; Condition of underlying groundwater basins; impacts to groundwater.	20 minutes	Percipient/Expert
Terry Dermody	Inconsistencies with the Delta Reform Act, Delta Protection Act, and other statutory and regulatory obligations; Failure to protect public trust; Inadequate environmental review.	15 minutes	Expert
Moses Zapien, Chair, Board of Supervisors	Policy Statement	3 minutes	No
Bob Elliot, Vice Chair	Policy Statement	3 minutes	No
Katherine Miller, Supervisor	Policy Statement	3 minutes	No
Carlos Villapudua, Supervisor	Policy Statement	5 minutes	No
Chuck Winn, Supervisor	Policy Statement	5 minutes	No

***Cumulative total time requested for 7 above protests, not including opening statements: 11 hours.***

We **NOW** plan to call the following witnesses to testify at **Part 1** of the hearing:

**(1) SALINITY INJURIES AND RYER ISLAND FOCUS PANEL**

**Joint Case in Chief of: Islands, Inc., Local Agencies of the North Delta, Bogle Vineyards/DWLC, Diablo Vineyards/DWLC, Stillwater Orchards/DWLC, and Daniel Wilson (6 protests)**

**Lead Counsel: Michael Van Zandt**

**2<sup>nd</sup> Counsel: Osha Meserve**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Erik Ringelberg	Injuries from WaterFix-Salinity	30	YES
Michelle Leinfelder-Miles	Effect of water quality and other changes on crops	25	YES
Stan Grant	Effect of water quality and other changes on vineyards	30	YES
Bradley Lang	Vineyard Operations	15	Percipient/expert
Tom Hester	Agricultural water use on Ryer Island by Islands Inc.	20	Percipient/expert

*Total time requested: 2 hours*

**(2) PHYSICAL INJURIES FOCUS PANEL**

**Joint Case in Chief of: Local Agencies of the North Delta, Bogle Vineyards/DWLC, Diablo Vineyards/DWLC, Stillwater Orchards/DWLC, Daniel Wilson, San Joaquin County, San Joaquin County Flood Control and Water Conservation District, Mokelumne River Water and Power Authority, and Islands, Inc. (7 protests)**

**Lead Counsel: Osha Meserve**

**2<sup>nd</sup> Counsel: Thomas Keeling**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Warren Bogle	Policy Statement	3	N/A
Daniel Wilson	Impacts on Rivermaid Farms	15	Percipient/expert
Richard Elliot	Impacts on Stillwater Orchards	15	Percipient/expert
Russell VanLoben Sels	Impacts on Amistad Ranch	20	Percipient/expert
Josef Tootle	Groundwater/Surface water interaction; Impacts to Groundwater; Injuries from Waterfix	30	Yes
Robert Pyke*	Injuries from Waterfix	0	Yes

*Total time requested: 1 hour 23 minutes*

**(3) SAN JOAQUIN COUNTY AND HARMFUL ALGAL BLOOM FOCUS PANEL**

**Joint Case in Chief of: San Joaquin County, San Joaquin County Flood Control and Water Conservation District, and Mokelumne River Water and Power Authority, and Local Agencies of the North Delta (2 Protests)**

**Lead Counsel: Thomas Keeling**

**2<sup>nd</sup> Counsel: Jennifer Spaletta**

**3<sup>rd</sup> Counsel: Osha Meserve**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b> (Please indicate Application Number if Appropriate)	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Moses Zapien, Chair	Policy Statement	3 minutes	No
Bob Elliot, Vice Chair	Policy Statement	3 minutes	No
Katherine Miller, Supervisor	Policy Statement	3 minutes	No
Chuck Winn, Supervisor	Policy Statement	3 minutes	No
Carolos Villapudua, Supervisor	Policy Statement	3 minutes	No
Linda Turkatte	County Water Resouces/Adverse impact of Harmful Algae Blooms in San Joaquin County	15 minutes	Percipient
Erik Ringelberg	Injuries from WaterFix- Harmful Algae Blooms	45 minutes	Expert

*Total time requested: 1 hour 15 minutes*

***Cumulative total time requested for 3 above panels: less than 5 hours (not including opening statements)***

**Note: Parties may not expand the scope of proposed testimony or add witnesses.**

**Fill in the following information of the Participant, Party, Attorney, or Other Representative:**

Name (Print): Osha R. Meserve

Mailing Address:

Soluri Meserve, A Law Corporation, 1010 F Street, Suite 100, Sacramento, CA 95814

Phone Number: (916) 455-7300; Fax Number: (916) 244-7300

E-mail: osha@semlawyers.com

Signature:



Date: September 1, 2016

**Fill in the following information of the Participant, Party, Attorney, or Other Representative:**

Name (Print): Thomas H. Keeling

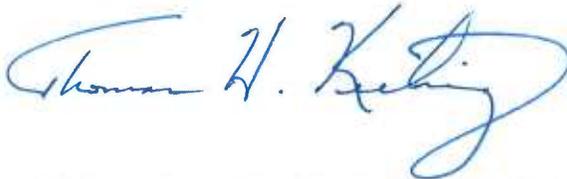
Mailing Address:

The Freeman Firm, 1818 Grand Canal Boulevard # 4, Stockton, CA 95207

Phone Number: (209) 474-1818

E-mail: tkeeling@freemanfirm.com

Signature:



Date: September 1, 2016

**Fill in the following information of the Participant, Party, Attorney, or Other Representative:**

Name (Print): Jennifer L. Spaletta

Mailing Address:

Spaletta Law PC, P.O. Box 2660, Lodi, CA 95241

Phone Number: (209) 224-5568 Fax Number: (209) 224-5589

E-mail: jennifer@spalettalaw.com

Signature:



Date: September 1, 2016

**Fill in the following information of the Participant, Party, Attorney, or Other Representative:**

Name (Print): Michael J. Van Zandt

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E-mail: mvanzandt@hansonbridgett.com

Signature:



Date:

9-1-16