
State Water Resources Control Board

POST-HEARING PROCEDURAL RULING

The State Water Resources Control Board
Administrative Hearings Office (AHO)
issues this post-hearing procedural ruling in **Phase 1B** of the hearing
on the applications of

**North Kern Water Storage District and City of Shafter (Application 31673),
City of Bakersfield (Application 31674),
Buena Vista Water Storage District (Application 31675),
Kern Water Bank Authority (Application 31676),
Kern County Water Agency (Application 31677), and
Rosedale-Rio Bravo Water Storage District (Application 31819)**

for permits to appropriate water from the Kern River system.

BACKGROUND

On January 12, 2022, the State Water Resources Control Board's (State Water Board or Board) Administrative Hearings Office (AHO) issued a Notice of Pre-Hearing Conference and Notice of Public Hearing, Phase 1B, in the matter of the Kern River Applications, on the pending applications of North Kern Water Storage District and City of Shafter (Application 31673), City of Bakersfield (Application 31674), Buena Vista Water Storage District (Application 31675), Kern Water Bank Authority (Application 31676), Kern County Water Agency (Application 31677), and Rosedale-Rio Bravo Water Storage District (Application 31819) for permits to appropriate water from the Kern River system.

The AHO held the case-in-chief portion of the Phase 1B hearing on May 2 through May 10, 2022; the rebuttal portion of the Phase 1B hearing on June 20 through June 23, 2022; and the surrebuttal portion of the Phase 1B hearing on August 31 and September 1, 2022.

CLOSING BRIEFS AND POST-HEARING DEADLINES

At the close of the surrebuttal portion of the Phase 1B hearing, the hearing officer and the parties discussed a schedule for submission of closing briefs and responses to closing briefs. On September 7, representatives of Buena Vista Water Storage District,

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

the City of Bakersfield, the City of Shafter, Kern County Water Agency, Kern Water Bank Authority, North Kern Water Storage District, and Tulare Lake Basin Water Storage District submitted an agreement to the AHO about page limits for closing briefs and responses to closing briefs. These parties also jointly proposed that a party may choose not to file a closing brief but may still file a response to the closing briefs.

The hearing officer adopts the following page limits on closing briefs and responses to closing briefs in accordance with the parties' agreement: closing briefs may be a maximum of 40 pages and responses to closing briefs may be a maximum of 20 pages, double-spaced, in 12-point font. Parties may choose not to file a closing brief but may still file a response to the closing briefs.

The following deadlines shall apply for filing closing briefs and responses to closing briefs with the AHO:

Deadlines / Schedule	Date and Time
Deadline for all parties to file closing briefs.	November 1, 2022, at 5:00 p.m.
Deadline for parties to file responses to the closing briefs.	November 22, 2022, at 5:00 p.m.

Date: September 16, 2022

/s/ Nicole L. Kuenzi
Nicole Kuenzi, Hearing Officer

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