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**Sent:** Friday, August 12, 2016 4:40 PM  
**To:** CWFhearing  
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**Subject:** California WaterFix: SJTA Request for Extension of Time re Part 1B Submittals  
**Attachments:** SJTA Joinder in Request for Time Extension re Part 1B Submittals 8.12.2016.pdf

Dear Co-Hearing Officers Doduc and Marcus:

Please find attached the San Joaquin Tributaries Authority's Request for an Extension of Time to Submit Protestant's Exhibits and Written Summaries of Testimony for Part 1B of the California Waterfix Change Petition.

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6

7 Attorneys for **SAN JOAQUIN**  
**TRIBUTARIES AUTHORITY**  
8

9  
10 BEFORE THE  
11 CALIFORNIA STATE WATER RESOURCES CONTROL BOARD  
12

13 IN RE CALIFORNIA DEPARTMENT OF ) **SAN JOAQUIN TRIBUTARIES**  
14 WATER RESOURCES AND UNITED ) **AUTHORITY'S REQUEST FOR AN**  
15 STATES DEPARTMENT OF THE ) **EXTENSION OF TIME TO SUBMIT**  
16 INTERIOR, BUREAU OF RECLATION, ) **PROTESTANTS EXHIBITS AND WRITTEN**  
17 REQUEST FOR A CHANGE IN POINT OF ) **SUMMARIES OF TESTIMONY FOR PART**  
DIVERSION FOR CALIFORNIA ) **1B OF THE CALIFORNIA WATERFIX**  
WATERFIX. ) **CHANGE PETITION**  
)  
)

18 \_\_\_\_\_ )  
)  
19 MODESTO IRRIGATION DISTRICT, )  
OAKDALE IRRIGATION DISTRICT, )  
20 SOUTH SAN JOAQUIN IRRIGATION )  
DISTRICT, TURLOCK IRRIGATION )  
21 DISTRICT, CITY AND COUNTY OF SAN )  
FRANCISCO, a California municipal )  
22 corporation, each individually, and )  
23 collectively the SAN JOAQUIN )  
TRIBUTARIES AUTHORITY, )  
24 )  
)

25 Interested Parties. )  
)  
26 \_\_\_\_\_ )

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1 Protestants MODESTO IRRIGATION DISTRICT, OAKDALE IRRIGATION DISTRICT,  
2 SOUTH SAN JOAQUIN IRRIGATION DISTRICT, TURLOCK IRRIGATION DISTRICT, all of  
3 which are California Irrigation Districts, the CITY AND COUNTY OF SAN FRANCISCO, a  
4 California municipal corporation acting by and through its PUBLIC UTILITIES COMMISSION, and  
5 the SAN JOAQUIN TRIBUTARIES AUTHORITY (all parties collectively referred to as the SJTA)  
6 join in the application by protestants Central Delta Water Agency, South Delta Water Agency,  
7 Lafayette Ranch, Heritage Lands, Mark Bachetti Farms and Rudy Mussi Investments, L.P.  
8 (“Central Delta Parties”) for an extension of time to submit exhibits and written summaries of  
9 testimony for Part 1B of the California Water Fix (“CWF”) Change Petition hearing (“Change  
10 Petition”) until thirty (30) days after completion of Part 1A of the hearing.

11 **ARGUMENT**

12 The SJTA joins in all the arguments presented by the Central Delta Parties in support of  
13 their application for an extension of the deadline for submitting exhibits and written summaries of  
14 testimony for Part 1B of the CWF Change Petition.

15 The SJTA writes separately to note that the Department of Water Resources and United  
16 States Bureau of Reclamation (collectively “Petitioners”) have yet to complete the submission of  
17 their case in chief. In response to the written objections raised by protestants to Petitioners’ exhibits  
18 and written testimony, the State Water Resources Control Board (“SWRCB” or “Board”) stated,  
19 “[w]e have not accepted petitioners’ exhibits into the record yet, and expect petitioners to offer their  
20 exhibits into evidence upon the completion of their case-in-chief.” (California Waterfix Hearing –  
21 Evidentiary Objections and Other Procedural Matters, dated July 22, 2016<sup>1</sup> [SWRCB Ruling on  
22 Objections], p. 1.) In addition, the Board deferred its ruling on many of the objections until  
23 “petitioners move to enter their testimony and exhibits into the record after their case in chief . . .”  
24 (SWRCB Ruling on Objections], p. 1.)

25 Accordingly, the SJTA - and other protestants - will not know which of Petitioners’ exhibits  
26 have been accepted into the record until completion of Petitioners’ case in chief, and therefore will

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28 <sup>1</sup> Available at  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/docs/20160722\\_cwf\\_ruling.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/docs/20160722_cwf_ruling.pdf)

1 not know which of those exhibits warrant review and attention by protestants' witnesses and experts  
2 during Part 1B. Moving the deadline for Part 1B submittals to thirty (30) days after completion of  
3 Petitioners' case in chief will allow protestants to properly tailor their submittals after due  
4 consideration of only those exhibits which have been formally accepted into the record by the  
5 Board. For this reason, the SJTA believes that moving the deadline for Part 1B submittals will allow  
6 for a more expeditious hearing.

7 **CONCLUSION**

8 For the foregoing reasons, and for the reasons set forth in the application by the Central  
9 Delta Parties, the SJTA respectfully requests that the schedule be modified to allow protestants to  
10 submit their cases in chief thirty (30) days after completion of Part 1A of the hearing.

11

12 Dated: August 12, 2016

**O'LAUGHLIN & PARIS LLP**

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By:   
TIM O'LAUGHLIN, Attorney for  
San Joaquin Tributaries Authority

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1 **STATEMENT OF SERVICE**

2 **CALIFORNIA WATERFIX PETITION HEARING**

3 **Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)**

4  
5 I hereby certify that I have this day submitted to the State Water Resources Control Board  
6 and caused a true and correct copy of the following document(s):

7  
8 **SAN JOAQUIN TRIBUTARIES AUTHORITY'S REQUEST FOR AN EXTENSION OF**  
9 **TIME TO SUBMIT PROTESTANTS EXHIBITS AND WRITTEN SUMMARIES OF**  
10 **TESTIMONY FOR PART 1B OF THE CALIFORNIA WATERFIX CHANGE PETITION**

11  
12 to be served by Electronic Mail (email) upon the parties listed in Table 1 of the Current Service List  
13 for the California WaterFix Petition Hearing, dated August 8, 2016, posted by the State Water  
14 Resources Control Board at  
15 [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/se](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml)  
16 [vice\\_list.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml):

17  
18 I certify that the foregoing is true and correct and that this document was executed on  
19 August 12, 2016

20 Signature: 

21  
22 Name: Timothy Wasiewski

23 Title: Attorney

24 Party/Affiliation: San Joaquin Tributaries Authority

25 Address: O'Laughlin & Paris, LLP  
26 2617 K Street, Suite 100  
27 Sacramento, CA 95816  
28