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On behalf of South Delta Water Agency,
Central Delta Water Agency, Lafayette Ranch,
Heritage Lands, Mark Bachetti Farms
and Rudy Mussi Investments L.P.

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

Hearing in the Matter of California
Department of Water Resources and
United States Department of the Interior,
Bureau of Reclamation Request for a
Change in Point of Diversion for
California Water Fix

SOUTH DELTA WATER AGENCY
PROTESTANTS’ REPLY TO DWR’S
OBJECTION TO ADMISSION OF PART 2
CROSS EXAMINATION EXHIBITS INTO
EVIDENCE

The South Delta Water Agency Protestants, ("SDWA Protestants") herein submit their
Reply/Response to DWR’s objection to the admission of SDWA-315. SDWA-315 is a
PowerPoint presentation made by the the staff of the Metropolitan Water District of Southern

South Delta Water Agency Protestants’ Reply to DWR’s Objections to Admission of Part 2 Cross Examination Exhibits into Evidence.
California ("MWD") during an MWD Board of Directors Finance Committee meeting on
March 27, 2018. The exhibit was introduced during the cross examination of Restore the Delta
witness Barbara Barrigan-Parrilla who witnessed the MWD presentation two days earlier via
webcast. As such, it is admissible to help illicit witness testimony and to explain and support
same. Additionally, it is well established that hearsay evidence is admissible in an
administrative proceeding so long as it supports or explains other evidence. The information
contained in SDWA 315 help explains the other testimony provided by Barrigan-Parrilla, and
other witnesses, including Dr. Michael, regarding how the uncertainty of the project’s
financing affects the public interest.

Moreover, SDWA-315 includes CWF yield figures which squarely contradict
the information contained in the Petition and provided by DWR’s witnesses throughout the
proceeding. As such, SDWA - 315 is also admissible for impeachment.

Respectfully Submitted,

Date: May 4, 2018

MOHAN, HARRIS, RUIZ,
WORTMANN, PERISHO & RUBINO, LLP

By: S. DEAN RUIZ, ESQ.