1	OSHA R. MESERVE (SBN 204240)	
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6	Attorneys for Protestants Local Agencies of the Bogle Vineyards / Delta Watershed Landowner	
7	Diablo Vineyards and Brad Lange / Delta Wate Stillwater Orchards / Delta Watershed Landow	
8	THOMAS H. KEELING (SBN 114979)	
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10	Stockton, CA 95207	
11	Telephone: (209) 474-1818 Facsimile: (209) 474-1245	
12	Email: tkeeling@freemanfirm.com	
13 14	Attorneys for Protestants County of San Joaqu Control and Water Conservation District, and M	
14	Power Authority	
16	ADDITIONAL COUNSEL LISTED ON FOLLO	NING PAGEI
17		
18	BEFO	RE THE
19	CALIFORNIA STATE WATER F	ESOURCES CONTROL BOARD
20	HEARING IN THE MATTER OF	PROPOSED GROUPING AND ORDERING
21	CALIFORNIA DEPARTMENT OF WATER RESOURCES AND UNITED STATES	OF PROTESTANTS FOR DIRECT TESTIMONY AND CROSS-EXAMINATION
22	BUREAU OF RECLAMATION'S REQUEST FOR A CHANGE IN POINT OF	IN PART 1B, SUBMITTED ON BEHALF OF LOCAL AGENCIES OF THE NORTH DELTA
23	DIVERSION FOR CALIFORNIA WATER FIX	ET AL., ISLANDS, INC., THE SAN JOAQUIN COUNTY PROTESTANTS, AND
24		THE NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT
25		
26		
27		
28		
	Proposed Groupi	ng and Ordering of
		nitted on Behalf of LAND et al.

1	J. MARK MYLES (SBN 200823)
2	Office of the County Counsel County of San Joaquin
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4	Stockton, CA 95202-2931 Telephone: (209) 468-2980
5	Facsimile: (209) 468-0315 Email: jmyles@sjgov.org
6	
7	Attorneys for Protestants County of San Joaquin, San Joaquin County Flood Control and Water Conservation District, and Mokelumne River Water and Power Authority
8	JENNIFER SPALETTA (200032)
9	SPALETTA LAW
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11	Telephone: (209) 224-5568 Facsimile: (209) 224-5589
12	Email: jennifer@spalettalaw.com
13	Attorneys for Protestants County of San Joaquin, San Joaquin County Flood
14	Control and Water Conservation District, and Mokelumne River Water and Power Authority, and North San Joaquin County Water Conservation District
15	MICHAEL J. VAN ZANDT (SBN 96777)
16	HANSON BRIDGETT LLP 425 Market Street, 26th Floor
17	San Francisco, CA 94105
18	Telephone: (415) 777-3200 Facsimile: (415) 541-9366
19	Email: mvanzandt@hansonbridgett.com
20	Attorneys for Protestants Islands, Inc.
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	i
	Proposed Grouping and Ordering of Protostants in Part 18, Submitted on Papalf of LAND at al
	Protestants In Part 1B, Submitted on Behalf of LAND et al.

Π

1	The following Proposed Grouping and Ordering of Protestants for direct testimony and				
2	cross-examination in Part 1B is submitted on behalf of (1) protestants Local Agencies of the				
3	North Delta, Bogle	/ineyards/Delta Watershed Landowner	Coalition ("DWL	C"), Diablo	
4	Vinevards and Brad	Lange/DWLC, and Stillwater Orchards	/DWLC: (2) prote	estants Islands.	
5		with Save Our Sandhill Cranes, and B			
				5	
6	San Joaquin, San J	oaquin County Flood Control and Wate	r Conservation D	District and	
7	Mokelumne River W	/ater and Power Authority ("San Joaqui	n County Protest	ants"); and (4)	
8	protestant North Sa	n Joaquin Water Conservation District,	in compliance wi	th this Board's	
9	Second Revised No	tice of Rescheduled Public Hearing, da	ted May 11, 201	6.	
10	Propos	sed Groupings and Order of Parties f	or Direct Testim	nony in	
11		Part 1B of the Hearing	3		
12	As proposed	in the revised Notices of Intent to Appe	_	LAND. et al. and	
13					
	the San Joaquin County Protestants on September 2, 2016, we propose the grouping and				
1/1	I order of our partice	order of our parties as follows:			
14					
14 15		as follows:	PANEL		
	(1) <u>SALINITY IN</u> Joint Case i	IJURIES AND RYER ISLAND FOCUS	cies of the North		
15	(1) <u>SALINITY IN</u> Joint Case i	JURIES AND RYER ISLAND FOCUS	cies of the North		
15 16	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC, Wilson	IJURIES AND RYER ISLAND FOCUS n Chief of: Islands, Inc., Local Agen Diablo Vineyards/DWLC, Stillwater O	cies of the North		
15 16 17	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC,	IJURIES AND RYER ISLAND FOCUS n Chief of: Islands, Inc., Local Agene Diablo Vineyards/DWLC, Stillwater O chael Van Zandt	cies of the North		
15 16 17 18	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC, Wilson Lead Counsel: Mi	IJURIES AND RYER ISLAND FOCUS n Chief of: Islands, Inc., Local Agene Diablo Vineyards/DWLC, Stillwater O chael Van Zandt Meserve SUBJECT OF PROPOSED	cies of the North rchards/DWLC, ESTIMATED	and Daniel EXPERT	
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC, Wilson Lead Counsel: Mi 2 <sup>nd</sup> Counsel: Osha	IJURIES AND RYER ISLAND FOCUS n Chief of: Islands, Inc., Local Agene Diablo Vineyards/DWLC, Stillwater O chael Van Zandt Meserve	cies of the North rchards/DWLC,	and Daniel	
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC, Wilson Lead Counsel: Mid 2 <sup>nd</sup> Counsel: Osha NAME	IJURIES AND RYER ISLAND FOCUS n Chief of: Islands, Inc., Local Agene Diablo Vineyards/DWLC, Stillwater O chael Van Zandt Meserve SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate)	cies of the North rchards/DWLC, ESTIMATED LENGTH OF DIRECT TESTIMONY	and Daniel EXPERT WITNESS (YES/NO)	
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC, Wilson Lead Counsel: Mi 2 <sup>nd</sup> Counsel: Osha NAME Erik Ringelberg	IJURIES AND RYER ISLAND FOCUS n Chief of: Islands, Inc., Local Agene Diablo Vineyards/DWLC, Stillwater O chael Van Zandt Meserve SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate) Injuries from WaterFix-Salinity	cies of the North rchards/DWLC, ESTIMATED LENGTH OF DIRECT TESTIMONY 30	and Daniel EXPERT WITNESS (YES/NO) YES	
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC, Wilson Lead Counsel: Mi 2 <sup>nd</sup> Counsel: Osha NAME Erik Ringelberg Michelle	IJURIES AND RYER ISLAND FOCUS n Chief of: Islands, Inc., Local Agene Diablo Vineyards/DWLC, Stillwater O chael Van Zandt Meserve SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate) Injuries from WaterFix-Salinity Effect of water quality and other	cies of the North rchards/DWLC, ESTIMATED LENGTH OF DIRECT TESTIMONY	and Daniel EXPERT WITNESS (YES/NO)	
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC, Wilson Lead Counsel: Mi 2 <sup>nd</sup> Counsel: Osha NAME Erik Ringelberg	IJURIES AND RYER ISLAND FOCUS n Chief of: Islands, Inc., Local Agene Diablo Vineyards/DWLC, Stillwater O chael Van Zandt Meserve SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate) Injuries from WaterFix-Salinity Effect of water quality and other changes on crops Effect of water quality and other	cies of the North rchards/DWLC, ESTIMATED LENGTH OF DIRECT TESTIMONY 30	and Daniel EXPERT WITNESS (YES/NO) YES	
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<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> </ol>	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC, Wilson Lead Counsel: Mi 2 <sup>nd</sup> Counsel: Osha NAME Erik Ringelberg Michelle Leinfelder-Miles Stan Grant Bradley Lang	IJURIES AND RYER ISLAND FOCUS n Chief of: Islands, Inc., Local Agene Diablo Vineyards/DWLC, Stillwater O chael Van Zandt Meserve SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate) Injuries from WaterFix-Salinity Effect of water quality and other changes on crops Effect of water quality and other changes on vineyards Vineyard Operations Agricultural water use on Ryer Island by Islands Inc.	<b>ESTIMATED</b> <b>LENGTH OF</b> <b>DIRECT</b> <b>TESTIMONY</b> 30 25 30 15	and Daniel EXPERT WITNESS (YES/NO) YES YES YES Percipient/expert	
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<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> <li>26</li> <li>27</li> </ol>	(1) <u>SALINITY IN</u> Joint Case i Vineyards/DWLC, Wilson Lead Counsel: Mit 2 <sup>nd</sup> Counsel: Osha NAME Erik Ringelberg Michelle Leinfelder-Miles Stan Grant Bradley Lang Tom Hester	A Straight S	ESTIMATED LENGTH OF DIRECT TESTIMONY 30 25 30 15 20	and Daniel EXPERT WITNESS (YES/NO) YES YES YES Percipient/expert	
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## (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.

5 Lead Counsel: Osha Meserve

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

6	2 Coursel. morias Reening				
6	NAME SUBJECT OF PROPOSED		ESTIMATED	EXPERT	
7		TESTIMONY	LENGTH OF	WITNESS	
		(Please indicate Application Number	DIRECT	(YES/NO)	
8		if Appropriate)	TESTIMONY		
	Warren Bogle	Policy Statement	3	N/A	
9	Daniel Wilson	Impacts on Rivermaid Farms	15	Percipient/expert	
10	Richard Elliot	Impacts on Stillwater Orchards	15	Percipient/expert	
	Russell	Impacts on Amistad Ranch	20	Percipient/expert	
11	VanLoben Sels				
10	Josef Tootle	Groundwater/Surface water	30	Yes	
12		interaction; Impacts to Groundwater;			
13		Injuries from Waterfix			
	Robert Pyke*	Injuries from Waterfix	0	Yes	

Total time requested: 1 hour 23 minutes

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

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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

## Lead Counsel: Thomas Keeling 19

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

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

3 <sup>rd</sup> Counsel: Osha Meserve				
	SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate)	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)	
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	
Carlos Villapudua, Supervisor	Policy Statement	3 minutes	No	
	2			
Proposed Grouping and Ordering of				

Protestants In Part 1B, Submitted on Behalf of LAND et al.

1	Linda Turkatte		esouces/Adverse ul Algae Blooms in San	15 minutes	Percipient
2	Frik Dingelberg	Joaquin County	_	AE minutos	Eve ant
3	Erik Ringelberg	Blooms	aterFix- Harmful Algae	45 minutes	Expert
4	Total time requested:	1 hour 15 minut	es		
5	The above-listed prot	estants request th	nat the three panels of wit	tnesses identified	l above
6	proceed in the order	shown above.			
7	<u> </u>	Proposed Order	of Parties for Cross-Exa	amination	
8	With respect to	the order of the	groups for cross-examina	ation, we propose	e that cross-
9	examination in Part 1	B proceed in the	same order that the Board	d established in F	Part 1A.
10	Thank you for	considering these	e requests and suggestior	าร.	
11	Dated: September 15	5, 2016	SOLURI MESERVE, A LAW CORPORATIO	N	
12					
13			By: John M. Mb		
14			Osha R. Meserve Attorneys for Prote	stants	
15			Local Agencies of t Bogle Vineyards/D	WLC	
16 17			Diablo Vineyards a Stillwater Orchards		DWLC
18	Dated: September 15	5, 2016	FREEMAN FIRM,		
19			1/	2A.	
20			By: <u>About A</u> . Thomas H. Keeling	July	
21			Attorneys for Prote San Joaquin Coun	stants County of	
22			Conservation Distr	ict, and	
23			Mokelumne River	Water and Power	r Authority
24					
25					
26					
27					
28					
			3	- (	
	Prc		d Grouping and Ordering B, Submitted on Behalf c		

1	Dated: September 15, 2	2016	OFFICE OF THE COUNTY COUNSEL COUNTY OF SAN JOAQUIN
3			LM RMD
4			By: Mark Myles
5			Attorneys for Protestants County of San Joaquin, San Joaquin County Flood Control and Water
6			Conservation District, and Mokelumne River Water and Power Authority
7			
8	Dated: September 15, 2	2016	SPALETTA LAW PC
9			By: Junity Spilettz
10			Jennifer L. Spaletta
11			Attorneys for Protestants County of San Joaquin, San Joaquin County Flood Control and Water
12			Conservation District, and Mokelumne River Water and Power Authority and
13 14			North San Joaquin Water Conservation District
15	Dated: September 15, 2	2016	HANSON BRIDGETT LLP
16			IN AMU SA
17			By: Michael J. Van Zandt
18			Attorneys for Protestants Islands, Inc.
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23 24			
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	Prote		Grouping and Ordering of 3, Submitted on Behalf of LAND et al.
	1		

1	STATEMENT OF SERVICE
2	CALIFORNIA WATERFIX PETITION HEARING
3	Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)
4	I hereby certify that I have on this 15th day of September 2016, submitted to the State Water
5	Resources Control Board and caused a true and correct copy of the following document(s):
6	PROPOSED GROUPING AND ORDERING OF PROTESTANTS FOR DIRECT TESTIMONY AND CROSS-EXAMINATION IN PART 1B, SUBMITTED ON BEHALF OF
7	LOCAL AGENCIES OF THE NORTH DELTA ET AL., ISLANDS, INC., THE SAN JOAQUIN COUNTY PROTESTANTS, AND THE
8	NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT
9	to be served <b>by Electronic Mail</b> (email) upon the parties listed in Table 1 of the <b>Current</b> <b>Service List</b> for the California WaterFix Petition Hearing, dated September 2, 2016, posted by
10	the State Water Resources Control Board at
11	http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml
12	
13	I certify that the foregoing is true and correct and that this document was executed on September 15, 2016.
14	, ll Stora
15	Signature:
16	Name:Mae Ryan Empleo Title: Legal Assistant for Osha R. Meserve
17	Soluri Meserve, A Law Corporation
18	Party/Affiliation: Local Agencies of the North Delta
19	Bogle Vineyards/DWLC
20	Diablo Vineyards and Brad Lange/DWLC Stillwater Orchards/DWLC
21	Address:
22	Soluri Meserve, A Law Corporation 1010 F Street, Suite 100, Sacramento, CA 95814
23	
24	
25	
26	
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28	5
	Statement of Service Proposed Grouping and Ordering of
	Protestants In Part 1B, Submitted on Behalf of LAND et al.