

Farwell Jensen, Jane

From: Tauriainen, Andrew@Waterboards
Sent: Friday, January 08, 2016 2:57 PM
To: Unit, Wr_Hearing@Waterboards; Kuenzi, Nicole@Waterboards; Mona, Ernie@Waterboards; Farwell Jensen, Jane
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Subject: RE: WSID CDO Hearing and BBID ACL Hearing - Rescheduled Hearings and Document Submittal Deadlines

The Prosecution Team agrees with the request for clarification, but disagrees with the other parties' characterization of the "pre-hearing briefing of legal issues." The January 25 briefing deadline is for the limited issues directed by BBID Hearing Officer Doduc following party comments. Hearing Officer Doduc also provided for responsive briefs. This is an unusual step in Board enforcement proceedings, which typically provide only for post-hearing closing briefs. If there are legal issues in WSID requiring separate pre-hearing briefing and response (the Prosecution Team suggests that there are not), there isn't time to solicit comments, set the issues and brief them before January 25.

That being said, the Prosecution Team understands that the "written opening statements" due February 29 may include briefing of legal issues, to which the other parties will be able to respond in closing briefs.

The Prosecution Team also understands that the parties may submit separate opening statements for each phase, but requests clarification on this point.

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From: Ramirez, Sherry [<mailto:SRamirez@kmtg.com>]
Sent: Friday, January 08, 2016 11:58 AM
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Subject: WSID CDO Hearing and BBID ACL Hearing - Rescheduled Hearings and Document Submittal Deadlines

Please find attached correspondence regarding Rescheduled Hearings and Document Submittal Deadlines for the West Side Irrigation District and Byron-Bethany Irrigation District Proceedings on behalf of Westlands Water District, State Water Contractors, West Side Irrigation District, Byron-Bethany Irrigation District, South Delta Water Agency, San Joaquin Tributaries Authority, Central Delta Water Agency, and City and County of San Francisco.

Thank you,

Sherry Ramirez

Legal Secretary



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