

Mona, Ernie@Waterboards

From: Mona, Ernie@Waterboards
Sent: Thursday, January 28, 2016 12:14 PM
To: Petruzzelli, Kenneth@Waterboards; Unit, Wr_Hearing@Waterboards; Glen Hansen; Diane Kindermann Henderson; bbarringer@mblaw.com; agodwin@MRGB.ORG; Bill Paris; anna.brathwaite@mid.org; lwood@olaughlinparis.com; red@eslawfirm.com; jonathan.knapp@sfgov.org
Cc: Tauriainen, Andrew@Waterboards; Prager, John@Waterboards; Weaver, Nathan@Waterboards; Buckman, Michael@Waterboards
Subject: RE: Fahey Hearing ACL/CDO: Webpage Updated

Tracking:

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Read: 1/28/2016 12:14 PM

Prager, John@Waterboards

Read: 1/28/2016 12:18 PM

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Mr. Petrucilli:

This email provides clarification to you procedural inquiries.

The page limit for each party's supplemental brief on evidentiary objections is limited to **a total of 20 pages** for all three issues combined. Similarly, each party's reply brief on evidentiary issues is limited to **a total of 10 pages** for all three issues combined.

Regarding Prosecution Team Exhibit WR-153, the Hearing Team recalls that Mr. Hansen's objection was to the Tuolumne River water availability analysis and related testimony. Without reviewing the transcript, it is not entirely clear where the Tuolumne analysis ended and other testimony began. As such, the Hearing Team will need to review both the slides and the transcript to give a definitive answer to your inquiry. If the scope of Mr. Hansen's objection is controversial, the Hearing Team will leave it to the parties to address the proper scope in their briefs (with citations to the transcript and exhibit, of course).

Ernest Mona

[State Water Resources Control Board](#)



From: Petruzzelli, Kenneth@Waterboards
Sent: Wednesday, January 27, 2016 3:10 PM
To: Unit, Wr_Hearing@Waterboards; Glen Hansen; Diane Kindermann Henderson; bbarringer@mblaw.com; agodwin@MRGB.ORG; Bill Paris; anna.brathwaite@mid.org; lwood@olaughlinparis.com; red@eslawfirm.com; jonathan.knapp@sfgov.org
Cc: Tauriainen, Andrew@Waterboards; Prager, John@Waterboards
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Mr. Mona,

Thank you for posting these items.

As clarification, is the page limit for supplemental briefs on evidentiary objections 20 pages for each issue or to 20 pages for all three issues combined? Similarly, are reply briefs on evidentiary issues limited to 10 pages for each issue or to 10 pages for all three issues combined?

Also, on the issue of whether rebuttal exhibit WR-153 and related testimony is admissible, is the issue whether the entire PowerPoint is admissible or only whether the three slides relating to the supply and demand analysis for the Tuolumne River are admissible? The three slides relating to the Tuolumne River supply and demand analysis are slides 3, 4, and 5.

Thank you.

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From: Mona, Ernie@Waterboards
Sent: Wednesday, January 27, 2016 1:24 PM
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FYI:

- January 25, 2016 - [BRIEFING SCHEDULE](#) distributed to Parties at the conclusion of the hearing (01/26/16)

The related [List of Exhibits Webpage](#) has also been updated with new exhibits introduced during our hearing:

- [Division of Water Rights Prosecution Team](#) : Exhibits WR-147 to WR-153
- [G. Scott Fahey and Sugar Pine Spring Water LP](#) : Fahey-77 to Fahey 87
- [Hearing Team Staff Exhibits](#) SWRCB-1 to SWRCB-5

Thanks

Ernest Mona

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[Division of Water Rights](#)

[Hearings and Special Programs Section](#)

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