

**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



November 25, 2015

VIA E-MAIL

Division of Water Rights  
State Water Resources Control Board  
Attention: Hearing Teams for the WSID Draft CDO and BBID ACL Hearings  
P.O. Box 2000  
Sacramento, California 95812-2000

Re: Bifurcation Proposal

Dear Hearing Team Members:

This is in reply to the proposals submitted yesterday by counsel for The West Side Irrigation District (WSID) and the Prosecution Team. California Department of Water Resources (DWR) agrees that bifurcating the water availability issue and conducting a joint consolidated hearing on this issue that would apply to both enforcement actions would streamline the process, conserve valuable resources, insure consistent results, and produce a single record on the issue. DWR, however, believes that the issue related to determining water availability should be described as: **whether the methodology developed by the State Water Resources Control Board for determining water availability to support the May 1, 2015 and June 12, 2015 Unavailability Notices was sufficient.**

DWR prefers that the hearing on this issue take place during the week of January 11-15, 2015, which is currently scheduled for the WSID CDO hearing. The remaining issues for both enforcement actions, including application of the methodology to WSID and Byron-Bethany Irrigation District (BBID), can be heard during the week of March 21-25, 2015, which is currently scheduled for the BBID ACL hearing.

DWR appreciates the opportunity to submit this proposal. If you have any questions or need additional information, please contact me at (916) 657-5400 or [robin.mcginnis@water.ca.gov](mailto:robin.mcginnis@water.ca.gov). Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Robin McGinnis".

Robin McGinnis, Attorney  
Office of the Chief Counsel  
Department of Water Resources

cc: Attached Service Lists (via e-mail)

**SERVICE LIST OF PARTICIPANTS  
BYRON-BETHANY IRRIGATION DISTRICT  
ADMINISTRATIVE CIVIL LIABILITY HEARING**

**PARTIES**

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**SERVICE LIST OF PARTICIPANTS  
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DRAFT CEASE AND DESIST ORDER HEARING**

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