

November 23, 2015

Hearing Officer Tam Doduc
Hearing Officer Frances Spivy-Weber
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

Re: Scheduled Hearings for Byron-Bethany Irrigation District and The West Side Irrigation District

Dear Hearing Officers:

The parties to the scheduled hearings for The West Side Irrigation District Cease and Desist Order and Byron-Bethany Irrigation District's Administrative Civil Liability Order have completed 7 of the 10 depositions that have been scheduled in the cases to date. It has become evident to the undersigned that the issues surrounding the water availability analysis conducted by the State Water Resources Control Board are substantially similar for the two agencies in both hearings. As a result, the undersigned believe that addressing this issue in separate hearings would be unnecessarily duplicative.

Our recommendation is that you agree to bifurcate the water availability issue from the remaining issues in both matters, and to then hold a joint, consolidated hearing only on the water availability issue. Such an approach would streamline the process, conserve valuable resources, insure consistent results, and produce a single record on the issue of the water availability analysis conducted by the State Water Resources Control Board.

Therefore, we respectfully request of you as hearing officers that we undertake the following:

1. Bifurcate the precursor issue of whether there was water available to divert under the WSID and BBID respective water rights during the relevant periods in 2015 (the "Water Availability Issue") from each of the two proceedings;
2. Reserve the dates currently scheduled for the BBID ACL hearing in March for a joint hearing for BBID and WSID on the Water Availability Issue.
3. Enable both hearing officers to preside over and decide the Water Availability Issue, and

4. Any remaining issues for the WSID and BBID enforcement actions would be heard immediately thereafter in the last week of March, through separate hearings for each enforcement action.

Very Truly Yours,



Jeanne Zolezzi
Attorney for The
West Side Irrigation District



p.p. DAN KELLY

Dan Kelly
Attorney for
Byron-Bethany Irrigation District



p.p. TIM O'LAUGHLIN

Tim O'Laughlin
Attorney for
San Joaquin Tributaries Authority

Dean Ruiz
Attorney for
South Delta Water Agency

Jennifer Spaletta
Attorney for
Central Delta Water Agency

Stephanie Morris
Attorney for
State Water Contractors

Robin McGinnis
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Philip Williams
Attorney for
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Andrew Tauriainen
Attorney for
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Jonathan Knapp
Attorney for
City and County of San Francisco

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Page 2 of 2

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Jeanne Zolezzi
Attorney for The
West Side Irrigation District

Dan Kelly
Attorney for
Byron-Bethany Irrigation District



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Page 2 of 2

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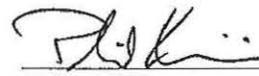
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