

**Attachment D**  
**Applicant's Witness List**



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*Via E-Mail*

Napa County Board of Supervisors  
1195 Third Street, Suite 310  
Napa, California 94559

E-Mail: laura.anderson@countyofnapa.org

Re: Applicant Rutherford Ranch Winery’s Witness List for Appeal re Major Modification P19-00126 and Use Permit Exception to the Conservation Regulations P23-00145

Dear Chair Gallagher and Members of the Board:

Pursuant to Section II(F) of the Pre-Hearing Conference Agenda, applicant Rutherford Ranch Winery (“Applicant”) respectfully submits this Witness List in connection with appellant Water Audit California’s (“Appellant”) appeal of the Napa County Planning Commission’s Approval of Applicant’s Use Permit Major Modification P19-00126 and Use Permit Exception to the Conservation Regulations P23-00145.

Applicant’s counsel of record, Farella Braun + Martel LLP (“FB+M”), will respond to any argument offered by Appellant in connection with its request that the Board of Supervisors overrule the Chair’s December 18 *Good Cause Determination* denying Appellant’s good cause submission. Additionally, Applicant presently intends to rely on the following witnesses:

<u>Witness</u>	<u>Time Estimate</u>	<u>Subject Matter of Testimony</u>
Morgan Zaninovich or Russ Joy	5 minutes	Introduction to project, including project description and process for approval.
Gina Giacone	15 minutes	Rebuttal to appellant’s presentation relative to technical aspects of the project’s anticipated water demand and operational offsets for the same, and County water policy.
FB+M	10 minutes	Rebuttal to appellant’s presentation relative to legal aspects of the project, including arguments relating to CEQA.
Rick Tooker	--	Applicant does not presently anticipate calling Mr. Tooker to speak but is designating Mr. Tooker as he will be available to answer any questions posed by the Board.
Russ Joy	--	Applicant does not presently anticipate calling Mr. Joy to speak (or speak again) but is designating Mr. Joy as he will be available to answer any pertinent questions posed by the Board that cannot be answered by counsel.
Jasper Lewis-Gehring		Applicant does not presently anticipate calling Mr. Lewis-Gehring to speak but is designating Mr. Lewis-Gehring as he will be available to answer any pertinent questions posed by the Board.

Respectfully,



Katherine Philippakis

cc: Cristina A. Guido, Esq.  
Rick Tooker