

**NOTICE OF INTENT TO APPEAR**

City of Sand City plans to participate in the water right hearing regarding:  
(name of party or participant)

**Cease and Desist Order Hearing for  
California American Water  
Carmel River in Monterey County**

scheduled for  
**Thursday, June 19, 2008, and continuing,  
if necessary, on Friday, June 20, 2008**

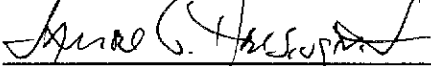
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 JUNE 19 2008

- I/we intend to present a policy statement only.
- I/we intend to participate by cross-examination or rebuttal only.
- I/we agree to accept electronic service of hearing-related materials.
- I/we plan to call the following witnesses to testify at the hearing.

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
David Pendergrass	See Attachment A	20 minutes	Yes
Steve Matarazzo	See Attachment A	20 minutes	Yes

(If more space is required, please add additional pages or use reverse side.)

Name, Address, Phone Number and Fax Number of Attorney or Other Representative

Signature:  Dated: March 13, 2008

Name (Print): James G. Heisinger, Jr., City Attorney for Sand City  
P. O. Box 5427

Mailing Address: Carmel, CA 93921

Phone Number: (831) 624-3891 Fax Number: (831) 625-0145

E-mail Address: jim@carmellaw.com

**ATTACHMENT A**  
**to**  
**Notice of Intent to Appear**  
**filed by**  
**City of Sand City**  
**March 13, 2008**

**Cease and Desist Order Hearing for**  
**California American Water**  
**Carmel River in Monterey County**

**SCOPE OF PROPOSED TESTIMONY BY WITNESSES**

1. David Pendergrass, who has served as the Mayor of the City of Sand City for over 30 years and represented the Mayors of all the Monterey Peninsula Cities on the Monterey Peninsula Water Management District Board for over 20 years, will present an overview of the community efforts to comply with the limits placed upon the water supplies available to California American Water Company by both SWRCB Order No. WR 95-10 and the Judgment entered in *California American Water Company v. City of Seaside*. Mayor Pendergrass will testify as to the effect of those limitations on the Monterey Peninsula Cities, their residents and businesses and guests. Mayor Pendergrass will also present an overview of past and current efforts to augment the water supply available on the Monterey Peninsula, including a description of the Sand City Desalination Facility now under construction in Sand City. Time Estimate:

2. Steve Matarazzo, who has served as Community Development Director of Sand City for over 14 years will testify regarding the effects of limited water supplies on redevelopment on Monterey Peninsula, including Sand City. Mr. Matarazzo will also offer testimony concerning permitting and entitlements associated with the Sand City Desalination Facility and the effect that project will have on available water supplies.