

## Farwell Jensen, Jane@Waterboards

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**From:** Christina M. Pritchard <christina@churchwellwhite.com>  
**Sent:** Thursday, July 06, 2017 12:01 PM  
**To:** Unit, Wr\_Hearing@Waterboards  
**Cc:** Barbara Brenner; Kerry Fuller  
**Subject:** Marble Mountain Ranch-Cole Hearing  
**Attachments:** 2017.07.06 Notice of Intent to Appear (CW044336-5xDCB25).pdf

Good afternoon,

Attached please find the Notice of Intent to Appear.

Thank you.

**Churchwell White** LLP

**Christina M. Pritchard** | Senior Paralegal | Operations Supervisor  
916.458.4962 | [christina@churchwellwhite.com](mailto:christina@churchwellwhite.com)

**Churchwell White LLP**  
1414 K Street, 3<sup>rd</sup> Floor, Sacramento, CA 95814  
F 916.468.0951 | M 916.220.3446  
[churchwellwhite.com](http://churchwellwhite.com)



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**NOTICE OF INTENT TO APPEAR**

Douglas and Heidi Cole, Marble Mountain Ranch

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

whether to issue an order finding waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water and ordering corrective actions against

Douglas and Heidi Cole and Marble Mountain Ranch scheduled to commence

**Tuesday, August 22, 2017 at 10:00 a.m.**

and continue, if necessary, on

**August 23, 24, and 25, 2017**

**1) Check only one of the following:**

- I/we intend to present a policy statement only.
 I/we intend to participate by cross-examination or rebuttal only.
 I/we plan to call the following witnesses to testify at the hearing. (Fill in the table below.)

Table with 4 columns: Witness Name, Subject of Proposed Testimony, Estimated Length of Direct Testimony, Expert Witness (Yes/No). Row 1: Please see attached table for witness list.

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

**2) Fill in the following information of the Participant, Party, Attorney, or Other Representative:**

Name (Print): Barbara A. Brenner

Mailing Address: 1414 K Street, 3rd Floor Sacramento, CA 95814

Phone Number: (916) 468-0950 Fax Number: (916) 468-0951

E-mail: barbara@churchwellwhite.com

Optional: [ ] I/we decline electronic service of hearing-related materials.

Signature: [Handwritten Signature] Date: July 6, 2017

**NOTICE OF INTENT TO APPEAR**

Douglas and Heidi Cole and Marble Mountain Ranch  
scheduled to commence  
**Tuesday, August 22, 2017 at 10:00 a.m.**  
and continue, if necessary, on  
**August 23, 24, and 25, 2017**

<b>Witness Name</b>	<b>Subject of Proposed Testimony</b>	<b>Estimated Length of Direct Testimony</b>
Joey Howard	Current and historical diversion use	1 hour
Will Harling	Past diversion improvement efforts	1 hour
Rocco Fiori	Diversion operation and management	0.5 hours
Ben Waterson	Current compliance activities and costs	0.5 hours
Jeff Meyer	Current compliance activities and costs	1.0 hour
Steve Cramer	Fishery interests	1.0 hour
Douglas Cole	Diversion use, operation and management and costs of compliance	1.0 hour
Heidi Cole	Compliance costs, diversion use, operation and management	0.5 hours