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6 Attorneys for Respondents THOMAS P.  
HILL, STEVEN L. GOMES  
7

8 **BEFORE THE CALIFORNIA**  
9 **STATE WATER RESOURCES CONTROL BOARD**

10  
11 In the Matter of Draft Cease ) Ref. No. 363:JO:262.0(23-03-06)  
and Desist Order No. )  
12 2009-00XX-DWR against Thomas ) HILL, GOMES REQUEST FOR  
Hill, Steven Gomes and ) JUDICIAL AND/OR OFFICIAL NOTICE  
13 Millview County Water )  
District. ) Hearing: January 26, 2010  
14 ) Time: 9:00 a.m.  
15 ) Location: Coastal Hearing Room,  
1001 I Street, Second Floor,  
Sacramento

16  
17 Respondents hereby request that the State Water Resources  
18 Control Board ("**Board**"), in connection with the above-  
19 referenced hearing and proceedings, take official notice and/or  
20 judicial notice herein, pursuant to Evidence Code §§451, et  
21 seq., of the following relevant and material items.

22  
23 1. The entire contents of the Board's Division of Water  
24 Rights' files on the Lee Howard complaint and the subsequent  
25 inquiry and/or investigation, which has been designated as  
26 "363.CAR:262.0(23-03-06)".

27  
28 2. The entire contents of the Board's files on "Decision

1 1610" in or about April 1986, at which time and in which  
2 decision it was determined and/or stated that the Russian River  
3 is fully appropriated in the summer months.  
4

5 3. The entire contents of the Board's files on that "Staff  
6 Report Russian River Watershed" dated in or about August  
7 1997, regarding the appropriation of the Russian River.  
8

9 4. The entire contents of the Board's Division of Water  
10 Rights' and its attorneys', files, specifically including  
11 pleadings, in the lawsuit entitled Millview, et al. v. CSWRCB,  
12 etc., Mendocino County Superior Court, Case No. SCWL-CVPT '08  
13 51448, but excluding attorney-client privileged communications.  
14

15 5. The contents of the Superior Court's file - including  
16 all pleadings, orders, judgments, etc. - in the lawsuit  
17 entitled Millview, et al. v. CSWRCB, etc., Mendocino County  
18 Superior Court, Case No. SCWL-CVPT '08 51448.  
19

20 6. The entire contents of the Board's Division of Water  
21 Rights', and its attorneys', files in this proceeding,  
22 including pleadings, notices, correspondence, notes,  
23


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1 calculations, and all other documents, excluding only attorney-  
2 client privileged communications.

3  
4 Dated: January 4, 2010

  
~~CARTER & MOMSEN, LLP~~  
By: Brian C. Carter, Esq.

6 Attorneys for Respondents  
7 THOMAS P. HILL, STEVEN L.  
8 GOMES  
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PROOF OF SERVICE BY OVERNIGHT COURIER

(In the Matter of Draft Cease and Desist Order No.  
2009-00XX-DWR against Thomas Hill, Steven Gomes  
and Millview County Water District; Cal. State  
Water Resources Control Board; No. 363:JO:262.0(23-03-06))

STATE OF CALIFORNIA )  
                                  )  
COUNTY OF MENDOCINO )

I am employed in the County of Mendocino, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 444 North State Street, Ukiah, California.

On January 4, 2010, I served the document entitled **HILL, GOMES REQUEST FOR JUDICIAL AND/OR OFFICIAL NOTICE** on the interested parties by placing true and complete copies thereof, in sealed envelopes with postage thereon provided for in full, in the custody of United Parcel Service, for overnight/next-day delivery, at Ukiah, California, addressed as follows:

DIVISION OF WATER RIGHTS PROSECUTION TEAM  
c/o David Rose  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

SONOMA COUNTY WATER AGENCY  
c/o Alan B. Lilly  
1011 22nd Street  
Sacramento, CA 95816-4907

MILLVIEW COUNTY WATER DISTRICT  
c/o Christopher J. Neary  
110 S. Main Street, Suite C  
Willits, CA 95490

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration is executed on January 4, 2010, at Ukiah, California.

  
Gina Testa Vau