



State Water Resources Control Board



Linda S. Adams

Secretary for
Environmental Protection

Division of Water Rights

1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300

P.O. Box 2000 ♦ Sacramento, California 95812-2000

Fax: 916.341.5400 ♦ www.waterrights.ca.gov

Arnold Schwarzenegger

Governor

December 2, 2009

VIA ELECTRONIC MAIL

TO: ENCLOSED SERVICE LIST

SERVICE LIST OF PARTICIPANTS TO EXCHANGE INFORMATION: WATER RIGHT HEARING REGARDING ADOPTION OF DRAFT CEASE AND DESIST ORDER – THOMAS HILL, STEVEN GOMES, AND MILLVIEW COUNTY WATER AGENCY – SCHEDULED TO COMMENCE ON JANUARY 26, 2010

In accordance with the State Water Resources Control Board's (State Water Board) Notice of Public Hearing (Notice), dated September 3, 2009, enclosed is a Service List of Participants who have submitted a Notice of Intent to Appear (NOI) and who have indicated intent to participate in the above-referenced hearing. Copies of the NOIs are attached.

As instructed in Section 4 of the September 3rd Notice's attachment entitled, "Information Concerning Appearance at Water Right Hearings," each participant shall submit to the State Water Board either: seven paper copies of each of its exhibits or five paper copies and one electronic copy of each of its exhibits. Exhibits are due no later than **12 noon, Tuesday, January 5, 2010**. Please see Section 5 of the Notice's attachment for details regarding electronic submissions. With exhibits, each participant must submit to the State Water Board and serve on the other participants a completed "Exhibit Identification Index". Please submit the "Exhibit Identification Index" to the State Water Board in either Microsoft Word or Excel format. **All of the required copies must be received by the 12 noon, Tuesday, January 5, 2010, deadline.** Each participant shall also serve a copy of each exhibit on every participant on the service list. Participants may serve those participants who agree to electronic service with an electronic copy of exhibits. For this hearing, all participants except Millview County Water District have agreed to accept electronic service of hearing-related materials.

All written testimony and other exhibits submitted to the State Water Board should be addressed as follows:

Division of Water Rights
State Water Resources Control Board
Attention: Ernest Mona
P.O. Box 2000
Sacramento, CA 95812-2000

Email: wrhearing@waterboards.ca.gov
With Subject of "Millview et al, CDO Hearing"

California Environmental Protection Agency

Millview et al CDO Hearing
Service List of Participants
December 2, 2009

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Documents related to this hearing will also be posted on the Division of Water Rights website at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/millview/

If you have any questions regarding this letter, please contact me at (916) 341-5359 or by email at emona@waterboards.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest Mona". The signature is written in a cursive, flowing style.

Ernest Mona
Hearings and Special Projects

Enclosures

**HEARING REGARDING ADOPTION OF DRAFT CEASE AND DESIST ORDER
THOMAS HILL, STEVEN GOMES, AND MILLVIEW COUNTY WATER AGENCY
SCHEDULED TO COMMENCE ON JANUARY 26, 2010**

**SERVICE LIST
(December 2, 2009)**

**PARTICIPANTS TO BE SERVED WITH WRITTEN TESTIMONY, EXHIBITS AND
OTHER DOCUMENTS.**

The participants listed below AGREED TO ACCEPT electronic service, pursuant to the rules specified in the hearing notice.	
THOMAS HILL AND STEVE GOMES c/o Jared Carter, Brian Carter and Matisse Knight Carter & Monsen, LLP 444 North State Street Ukiah, CA 95482 jaredcarter@pacific.net bcarter@pacific.net mknight@pacific.net	DIVISION OF WATER RIGHTS PROSECUTION TEAM c/o David Rose State Water Resources Control Board 1001 I Street Sacramento, CA 95814 DRose@waterboards.ca.gov
SONOMA COUNTY WATER AGENCY c/o Alan B. Lilly 1011 22 nd Street Sacramento, CA 95816-4907 abl@bkslawfirm.com	
The participants listed below DID NOT agree to accept electronic service, pursuant to the rules specified in the hearing notice.	
MILLVIEW COUNTY WATER DISTRICT c/o Christopher J. Neary 110 S. Main Street, Suite C Willits, CA 95490 cjneary@pacific.net	

FIRST AMENDED NOTICE OF INTENT TO APPEAR

Thomas Hill and Steve Gomes plans to participate in the water right hearing regarding
(Name of party or participant)

Proposed Cease and Desist Order Hearing

**Thomas Hill, Steven Gomes, and
Millview County Water District
Russian River and Russian River Underflow
In Mendocino County**

**scheduled to commence
January 26, 2010**

Check all that apply:

- 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 TESTIMONY	EXPERT WITNESS (YES/NO)
Thomas Hill	History of water right	.5 hours	No
Steven Gomes	History of water right	.5 hours	No
Charles Rich	Complaint Investigation	.75 hours	No
Person(s) Most Knowledgeable**	SWRCB's determination that the Russian River is fully Appropriated	.5 hours	No
Person(s) Most Knowledgeable**	SWRCB's determination that issuing appropriation permits on Russian River would not harm prior vested rights	.5 hours	No

Person(s) Most Knowledgeable**	SWRCB's decision that appropriation of waters for Lake Mendocino Dam would not harm prior vested rights on Russian River	.50 hours	No
Sam Lambert	Usage of Right	.50 hours	Yes
Daniel Putnam	Agricultural Use	.5 hours	Yes
Don McEdwards	Capacity of Facilities	.3 hours	Yes
Drew Aspegren	pre-1914 Water Rights	.5 hours	Yes
Andy Chu	History of water right - previous conversations with Steven Gomes	.3 hours	No

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

Signature:

Dated: November 30, 2009

Name:

BRIAN C. CARTER, Attorney for Thomas Hill and Steven Gomes

Mailing

Address:

444 North State Street

Ukiah, CA 95482

Phone Number:

(707) 462-6694

Fax Number: (707) 462-7839

E-Mail:

bcarter@pacific.net;mknight@pacific.net;jaredcarter@pacific.net

* Discovery is ongoing in this matter and Thomas Hill and Steven Gomes expressly reserve the right to supplement this list as necessary.

** The names of the persons most knowledgeable in these areas are unknown at this time as Thomas Hill and Steven Gomes have not yet received responses to discovery requesting that information from the Prosecution Team.

NOTICE OF INTENT TO APPEAR

Division of Water Rights Prosecution Team plans to participate in the water right hearing regarding:
(name of party or participant)

Proposed Cease and Desist Order Hearing

**Thomas Hill, Steven Gomes, and
Millview County Water District
Russian River and Russian River Underflow
In Mendocino County**

**scheduled to commence
January 26, 2010**

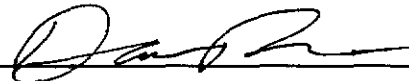
STATE WATER RESOURCES
CONTROL BOARD
09 NOV 31 AM 10:12
DIV. OF WATER RIGHTS
SACRAMENTO

- 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)
Charles Rich	Complaint Investigation and Findings	20 minutes	yes
Sr. Water Resources Control Eng. (Chief Complaint Unit)			
Jane Arnold	Impact of Additional Water Diversions in Russian River Watershed	20 minutes	yes
Staff Environmental Scientist, Department of Fish and Game			

(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: December 1, 2009

Name (Print): David Rose

Mailing Address: State Water Resources Control Board

1001 I Street, Sacramento, California 95814

Phone Number: (916) 341-5196 Fax Number: (916) 341-5199

E-mail: DRose@waterboards.ca.gov

NOTICE OF INTENT TO APPEAR

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

Proposed Cease and Desist Order Hearing

**Thomas Hill, Steven Gomes, and
Millview County Water District
Russian River and Russian River Underflow
In Mendocino County**

**scheduled to commence
January 26, 2010**

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- 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)
Pamela Jeane	water rights; impacts of diversions	20 min	yes
Donald Seymour	water rights; impacts of diversions	20 min	yes
Chris Delaney	water rights; impacts of diversions	20 min	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: Alan B. Lilly Dated: December 1, 2009

Name (Print): Alan B. Lilly

Mailing Address: Bartkiewicz, Kronick & Shanahan, P.C.

1011 22nd Street, Sacramento, CA 95816-4907

Phone Number: (916) 446-4254 Fax Number: (916) 446-4018

E-mail: abl@bkslawfirm.com

EM

2009 NOV 30 PM 1:57

NOTICE OF INTENT TO APPEAR

Millview County Water District _____ plans to participate in the water right hearing regarding
(name of party or participant)

Proposed Cease and Desist Order Hearing

**Thomas Hill, Steven Gomes, and
Millview County Water District
Russian River and Russian River Underflow
In Mendocino County**

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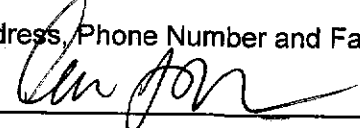
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- I/we agree to accept electronic service of hearing-related materials.
- I/we plan to call the following witnesses to testify at the hearing.

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Tom Hill	HIStory of Water Right	.50	no
Steven Gomes	History of Water Right	.30	no
Tim Bradley	Usage of Right	.50	yes
Sam Lambert	Usage of Right	.50	yes
Daniel Putnam	Agricultural Useage	.50	yes
Don McEdwards	Capacity of Facilities	.30	yes

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

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

Signature:  Dated: November 25, 2009

Name (Print) Christopher J Neary for Millview County Water District

Mailing Address: 110 S. Main St., Ste. C

Willits, CA 95490

Phone Number: (707)-459-5551 Fax Number: (707) 459-3018

E-mail: cjneary@pacific.net

NOTICE OF INTENT TO APPEAR

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

Proposed Cease and Desist Order Hearing

**Thomas Hill, Steven Gomes, and
Millview County Water District
Russian River and Russian River Underflow
In Mendocino County**

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- 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)
Drew Aspegren	Pre-1914 Rights	.50	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: November 25, 2009

Name (Print): Christopher J. Neary for Millview County Water District

Mailing
Address: 110 S. Main St., Ste. C
Willits, CA 95490

Phone Number: (707) 459-5551 Fax Number: (707) 459-3018

E-mail: cjneary@pacific.net