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March 21, 2007

Christopher J. McNevin
Phone: 213.488.7507
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Via Electronic Mail and USPS Express Mail

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

Attn: Jane Farwell

Re: Orange County Water District's Notice of Intent to Appear at
April 5, 2007 Pre-hearing Status Conference and
May 3-4, 2007 Public Hearing on Water Rights Applications and
Wastewater Change Petition

Dear Ms. Her:

Enclosed are six (6) copies of Orange County Water District's Notice of Intent to Appear at the above-captioned Pre-hearing Status Conference and Public Hearing.

If you have any questions, please feel free to give me a call. Thank you for your assistance in this matter.

Sincerely,

Christopher J. McNevin

cc: Erin Mahaney, Esq.

NOTICE OF INTENT TO APPEAR

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

**SANTA ANA RIVER HEARING
scheduled to commence
Wednesday, May 2, 2007**

- I/we wish to protest Wastewater Change Petition WW-0045.
- I/we intend to participate in the portion of the hearing regarding water right Applications 31165, 31370, 31174, 31369, 31371 and 31372.
- 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.

Orange County Water District (OCWD) will call the following witnesses to testify in support of Application 31174. In addition to those witnesses listed below, OCWD may call any of the witnesses listed on the Notices of Intent to Appear filed by other applicants in this proceeding. OCWD also will work with the other applicants to identify potential efficiencies through the use of common witnesses as appropriate, and reserves the right to designate any witnesses called by other parties. Subject to the foregoing, OCWD intends to call the following witnesses:

NAME	SUBJECT OF PROPOSED TESTIMONY (Please indicate Application number if Appropriate)	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Craig D. Miller, P.E., Assistant General Manager, Orange County Water District, 10500 Ellis Avenue, P.O. Box 8300, Fountain Valley, CA 92728-8300	Mr. Miller will explain the charter and legislative mandate of OCWD, the nature, extent and history of its operations, its policies and practices, the nature of the projects which relate to its application to appropriate, OCWD's coordination with other water agencies for integrated watershed management of the Santa Ana River, and the physical condition of the river. He also will testify as to the costs and risks of excessive reliance on non - local water sources. Unless the topic is dealt with by stipulation, Mr. Miller also will testify as to OCWD's water rights, its 1969 Stipulated Judgment, and the relative rights priority that should apply as between OCWD and the other applicants.	20 minutes	No

NAME	SUBJECT OF PROPOSED TESTIMONY (Please indicate Application number if Appropriate)	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Roy Herndon, Chief Hydrogeologist, Orange County Water District, 10500 Ellis Avenue, P.O. Box 8300, Fountain Valley, CA 92728-8300	Mr. Herndon will testify regarding the hydrology of the Santa Ana River, and the availability of water for appropriation by OCWD. He also will testify regarding water needs in Orange County, as well as on the impact of OCWD's projects on groundwater, water quality and contaminated groundwater plumes, and OCWD's efforts to remediate groundwater contamination.	15 minutes	No
Richard Zembal, Director of Natural Resources, Orange County Water District, 10500 Ellis Avenue, P.O. Box 8300, Fountain Valley, CA 92728-8300	Mr. Zembal will testify regarding OCWD's environmental stewardship, including its wildlife conservation programs, its successful efforts to mitigate impacts of water availability projects, and its plans for ongoing and future mitigation.	20 minutes	No
Bill Dendy, Santa Ana River Watermaster, Bill Dendy & Associates, 44321 S. El Macero Drive, El Macero, CA 95618	Mr. Dendy will testify as to the integrated watershed management in place for the Santa Ana River, and the success of the Santa Ana Watershed Project Authority and its member agencies in coordinating effective and efficient conjunctive use for the Santa Ana River.	15 minutes for Orange County Water District; additional time requested for this witness who will be designated by other parties as well	No.
Leslie Moulton, Environmental Science Associates, 225 Bush Street, Suite 1700, San Francisco, CA 94104	Ms. Moulton will testify regarding the impacts of OCWD's projects on the environment and public trust resources.	20 minutes	Yes

NAME	SUBJECT OF PROPOSED TESTIMONY (Please indicate Application number if Appropriate)	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Chris Rogers, Environmental Science Associates, 225 Bush Street, Suite 1700, San Francisco, CA 94104	Mr. Rogers will testify regarding the impacts of OCWD's projects on biological resources.	15 minutes	Yes
Carl Nelson (retired), Orange County Flood Control District, Flood Control Division, 7 th Floor, 300 North Flower Street, Santa Ana, CA 92703-5000	Mr. Nelson will testify regarding the physical nature of the Santa Ana River and the fact that the applicants operate within a river system that has been highly modified for flood control purposes.	15 minutes	No

(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 21, 2007

Name (Print): Christopher J. McNevin, Esq. of Pillsbury Winthrop Shaw Pittman LLP
(Attorneys for Orange County Water District)

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E-mail Address: chrismcnevin@pillsburylaw.com

From: Jane Farwell
To: McNevin, Christopher
Date: 3/21/2007 11:23:01 AM
Subject: Re: Santa Ana River Hearing

07 03 21 11:23 AM
JANE FARWELL
STATE WATER RESOURCES CONTROL BOARD
1000 N. GARDEN ST.
SANTA ANA, CA 92704

Mr. McNevin,

Thank you for your timely submission of Orange County Water District's Notice of Intent to Appear at the Santa Ana River hearing, which is scheduled to commence on May 2, 2007.

Jane Farwell, Environmental Scientist
State Water Resources Control Board
(916) 341-5349
fax (916) 341-5400

>>> "McNevin, Christopher J." <chrismcnevin@pillsburylaw.com> 3/21/2007 11:17 AM >>>

Attached are pdf copies of my transmittal letter and Orange County Water District's Notice of Intent to Appear at the Santa Ana River hearing, which is scheduled to commence on May 2, 2007. Hard copies of the letter and six copies of the Notice will follow via overnight USPS Express mail. Thank you.

Christopher J. McNevin
Pillsbury Winthrop Shaw Pittman LLP

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