

2007 MAR 21 7:53

STORAGE

March 20, 2007

VIA E-MAIL TO "JAFARWELL@WATERBOARDS.CA.GOV" AND
VIA 1ST CLASS U.S. MAIL (W/ SIX (6) HARD COPIES OF NOTICE)

Ms. Jane Farwell
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, California 95812-2000

Re: Notice of Intent to Appear - Santa Ana River Hearing

Dear Ms. Farwell:

It is our pleasure to hereby submit on behalf of our clients San Bernardino Valley Municipal Water District and Western Municipal Water District of Riverside County our Notice of Intent to Appear and participate in the Santa Ana River Hearing scheduled to commence on Wednesday, May 2, 2007. **Please confirm via e-mail that you have received our attached Notice at your earliest convenience and prior to the March 21, 2007 12:00 noon deadline imposed by the Board.** I am aware that our paralegal Terri Kuntz has provided you with the e-mail addresses in our firm to which the receipt should be sent.

In accordance with the Notice of Hearing and your discussion with Ms. Kuntz of this afternoon, we are this date also mailing to you the original of this letter, along with six (6) hard copies of our signed Notice of Intent.

Thank you very much for your assistance. Please do not hesitate to contact our office should you have any questions or require anything further in conjunction with this submission.

Very truly yours,

DOWNEY BRAND LLP



David R.E. Aladjem

DREA:tdk

838478.1

Enclosures as noted

cc: Randy Van Gelder, San Bernardino Valley Municipal Water District
John Rossi, Western Municipal Water District of Riverside County

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NOTICE OF INTENT TO APPEAR

San Bernardino Valley Municipal Water District ("Muni") and Western Municipal Water District of Riverside County ("Western") will participate in the water right hearing regarding:

DA 07-000000018
 SACRAMENTO

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.

NAME	SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate)	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Randy Van Gelder	Application Nos. 31165 and 31370: Background regarding Muni operations and use of water by Muni	10 minutes	No
John Rossi	Application Nos. 31165 and 31370: Background regarding Western operations and use of water by Western	10 minutes	No
Douglas Headrick	Application Nos. 31165 and 31370: This witness will be available for cross-examination to provide technical support for the testimony of Randy Van Gelder and Robert Reiter	0 minutes	Yes
Samuel Fuller	Application Nos. 31165 and 31370: This witness will be available for cross-examination to provide technical support for the testimony of Randy Van Gelder and Robert Reiter	0 minutes	Yes
Robert Tincher	Application Nos. 31165 and 31370: This witness will be available for cross-examination to provide technical support for the testimony of Randy Van Gelder and Robert Reiter	0 minutes	Yes

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NAME	SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate)	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Robert Reiter	Application Nos. 31165 and 31370: Background regarding the functioning of the Santa Ana River ("SAR") system; Muni operations, use of water by Muni and prior rights in the SAR	20 minutes*	Yes
Jack Safely	Application Nos. 31165 and 31370: Background regarding Western operations and use of water by Western	10 minutes	Yes
Robert Thomson	Application Nos. 31165 and 31370: Biological and ecological analysis of the SAR; preparation and conclusions of the EIR for Application Nos. 31165 and 31370	20 minutes*	Yes
Roy Leidy	Application Nos. 31165 and 31370: Biological and ecological analysis of the SAR	20 minutes*	Yes
Robert Beeby	Application Nos. 31165 and 31370: Hydrology and engineering analysis of the SAR; availability of unappropriated water for Application Nos. 31165 and 31370	20 minutes*	Yes
Dennis Williams	Application Nos. 31165 and 31370: Hydrology and engineering analysis of the SAR; availability of unappropriated water for Application Nos. 31165 and 31370	20 minutes*	Yes
Johnson Yeh	Application Nos. 31165 and 31370: This witness will be available for cross-examination to provide technical support for the testimony of Dennis Williams	0 minutes	Yes
Meredith Clement	Application Nos. 31165 and 31370: This witness will be available for cross-examination to provide technical support for the testimony of Robert Beeby and Robert Thomson	0 minutes	Yes
Steven Macaulay	Application Nos. 31165 and 31370: Analysis of water supply and demand in California	20 minutes	Yes

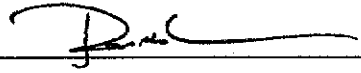
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NAME	SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate)	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Joel Degner	Application Nos. 31165 and 31370: This witness will be available for cross-examination to provide technical support for the testimony of Robert Beeby	0 minutes	Yes
Nivan Bhuta	Application Nos. 31165 and 31370: This witness will be available for cross-examination to provide technical support for the testimony of Robert Beeby	0 minutes	Yes
Thomas Mulroy	Application Nos. 31165 and 31370: This witness will be available for cross-examination to provide technical support for the testimony of Robert Thomson	0 minutes	Yes
Rosemary Thompson	Application Nos. 31165 and 31370: This witness will be available for cross-examination to provide technical support for the testimony of Robert Thomson	0 minutes	Yes
Thomas Chesnutt	Application Nos. 31165 and 31370: This witness may present direct testimony regarding economic issues associated with water conservation. This witness may also be available for cross-examination to provide technical support for the testimony of Steven Macaulay.	10 minutes	Yes

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Bill Dendy Muni/Western 15	Application Nos. 31165 and 31370: This witness will be presented as part of a group presentation by all of the applicants/petitioners in this proceeding. The focus of his testimony will be how water is managed within the SAR system.	20 minutes	Yes
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Name, Address, Phone Number and Fax Number of Attorney or Other Representative

Signature:  Dated: 3/20/07

Name (Print): Kevin M. O'Brien (State Bar No. 122713)
 David R.E. Aladjem (State Bar No. 152203)

Mailing Address: Downey Brand LLP
 555 Capitol Mall, 10th Floor
 Sacramento, CA 95814

Phone Number (916) 444-1000
 Fax Number (916) 444-2100
 E-mail Address: kobrien@downeybrand.com OR daladjem@downeybrand.com

*Muni/Western intend to request leave of the hearing officer to exceed the time limits contained in the Notice of Public Hearing as to these witnesses, due to the technical complexity of their testimony. This request will be made in writing prior to the pre-hearing conference on April 5, 2007, and the request will be served on all parties to this proceeding. In the event that the hearing officer denies this request in whole or in part, Muni/Western will reduce the time allocations for its witnesses on a proportionate basis, to conform with any time limitations imposed by the hearing officer.

From: Jane Farwell
To: tkuntz@DowneyBrand.com
Date: 3/20/2007 5:42:39 PM
Subject: Re: Santa Ana River Hearing

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Terri:

This email is to acknowledge that the State Water Resources Control Board is in timely receipt of your correspondence and completed Notice of Intent to Appear, in accordance with the instructions outlined in the Notice of Hearing for this matter.

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

>>> "Kuntz, Terri" <tkuntz@DowneyBrand.com> 03/20/07 4:56 PM >>>
Jane:

Attached per our conversations this date please find correspondence signed by David Aladjem of our office, along with our completed and signed Notice of Intent to Appear and participate in the Santa Ana River Hearing. Both documents are in .pdf format, which you advised are acceptable to the Board.

Also per our conversations today, please send a 'reply to all' e-mail response to this message to acknowledge that you are indeed timely receipt of our correspondence and completed Notice, in accordance with the instructions outlined in the Notice of Hearing for this matter.

Thank you very much for your kind assistance.

Terri D. Kuntz
Paralegal & Legal Support Specialist
DOWNEY BRAND
555 Capitol Mall, 10th Floor
Sacramento, CA 95814
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you.

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CC:

WrHearing@waterboards.ca.gov,randyv@sbvmwd.com,jrossi@wmwd.com,wjones@DowneyBrand.com,aclark@DowneyBrand.com,kobrien@DowneyBrand.com,daladjem@DowneyBrand.com