

March 20, 2007

VIA FEDEX

Jane Farwell
Division of Water Rights
State Water Resources Control Board
1001 "I" Street, 14th Floor
Sacramento, CA 95812-2000

2007 MAR 21 11:19
FEDERAL EXPRESS
SACRAMENTO, CA 95812

Re: Santa Ana River Hearing

Dear Ms. Farwell:

Enclosed please find six copies of the Notice of Intent to Appear filed on behalf of the San Bernardino Valley Water Conservation District at the above-referenced hearing.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,

RUTAN & TUCKER, LLP



David B. Cosgrove

DBC:tr
Enclosure

NOTICE OF INTENT TO APPEAR

- The San Bernardino Valley Water Conservation District, 1630 West Redlands Blvd., Suite A, Redlands, CA 92373 plans to participate in the water right hearing regarding:

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)
D. Burnell Cavender Planning Consultant and former General Manager of Conservation District	Mr. Cavender will testify in support of Application 31371. Mr. Cavender will testify regarding the Conservation District's facilities, its diversion and recharge practices and operations, and the public interest benefits of these activities (Key Issue # 3). Mr. Cavender may also testify as to the Conservation District's recharge pursuant to applicable judgments and agreements, including how the District's diversions and recharge activities are addressed in the Settlement Agreement with Muni and Western) (Key Issues # 4 and 5).	20 minutes	No
Kate White Todd Engineers 2200 Powell Street, Suite 225 Emeryville, California 94608	Ms. White provided technical support for the Conservation District EIR and revised recharge management plan. Ms. White will testify in support of Application 31371, and will address: the availability of water for the Conservation District's continued diversion and recharge activities (Key Issue #1); the beneficial nature of the Conservation District's recharge activities in support of maintaining appropriate groundwater levels in the Bunker Hill Basin (Key Issue #3); and may testify regarding evidence of potential effects of the project on groundwater and groundwater contaminant plumes as analyzed in the Conservation District's EIR, and as may be analyzed in evidence submitted by any other party (Key Issue #6).	20 minutes	Yes
Roberta Childers EDAW 2022 J Street	EDAW authored the Conservation District's EIR for the water right application and revised recharge management plan. Ms. Childers will testify in	20 minutes	Yes

Sacramento, CA 95814	support of Application 31371. She will testify as to the findings in the Conservation District's EIR regarding impacts on water quality and other environmental resources (Key Issue #2).		
Phil Dunn Principal EDAW 2022 J Street Sacramento, CA 95814	EDAW authored the Conservation District's EIR for the water right application and revised recharge management plan. Mr. Dunn will testify in support of Application 31371. He will testify as to the impacts of the diversion and recharge practices on public trust resources (Key Issue #2).	20 minutes	Yes
Bill Dendy Bill Dendy & Associates 44321 South El Macero Drive El Macero, CA 95618	Mr. Dendy is designated as a potential joint witness contemplated to testify on behalf of all applicant parties. The applicant parties intend to present his testimony in order to lay a foundation for the State Water Board and its staff as to the institutional setting for the pending applications and petition.	5 minutes	No
Craig Miller Assistant General Manager Orange County Water District P.O. Box 8300 Fountain Valley, CA 92708	Mr. Miller is designated as a potential joint witness contemplated to testify on behalf of all applicant parties. The applicant parties intend to present his testimony regarding the physical setting of the lower watershed for the pending applications and petition.	5 minutes	No
Rob Thomson Entrix 2140 Eastman Ave #200 Ventura, CA 93003	Mr. Thomson is designated as a potential joint witness contemplated to testify on behalf of all applicant parties. The applicant parties intend to present his testimony as to cumulative impacts of operations under the applications and petition with respect to public trust resources (Key Issue #2).	5 minutes	Yes

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

Signature: David Cosgrove Dated: 3-20-07

Name: David Cosgrove

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