

CONTACT REPORT
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

From: *Larry Lindsay*
Larry Lindsay

Contact: Burt Sandell representing the Vineyard Club
(415) 435-9828

Date: December 21, 2006

Re: A026224

This afternoon I received a telephone call from Mr. Sandell and he wanted to discuss the ACL and CDO for the Vineyard Club.

Our discussion included the following:

- He asked me about the hearing process and I described the basic points of an evidentiary hearing before the Board. He asked if an attorney was required. I told him an attorney was not required but that most parties appearing before the board did use an attorney. I directed him to the attorney list on the Division's website.
- He asked me essentially if there was a way to settle the matter without a hearing. He said that it seemed like it would be less expensive to pay the ACL than to hire an attorney. I told him it would not be appropriate for me to advise him on how to proceed. I told him he had two choices now: request the hearing or pay the liability.
- He asked if they could later cancel a request for a hearing. I told them they could.
- He stated that they had worked to comply since the inspection and asked if that mattered. I told him that the ACL was only concerned with the violation I observed and not their actions since the inspection.
- We discussed the elements of the Cease and Desist Order. I did state that if they intended to follow the actions required in the CDO, I didn't see any need to contest it.
- Throughout the conversation, Mr. Sandell related to me that the liability was a significant amount of the Club's budget, that they wanted to comply, and that they had no intent to violate the water right.

We spoke for about 15 minutes and these were the main points. Throughout the conversation I did not discuss the facts of the inspection that led to issuing the enforcement actions.