

### NOTICE OF INTENT TO APPEAR

Peder Hoy plans to participate in the water right hearing regarding (name of party or participant)

#### Mike Passalaqua and Peder Hoy – ACL/CDO Hearing

scheduled to commence  
October 14, 2016

**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 decline 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)
Peder Hoy	Diverter Testimony	1 hour	N
Peter Hoy	Diverter Testimony	1 hour	N
Mike Passalaqua	Diverter Testimony	30 minutes	N
Chain of Title Expert - TBD	Evidence of riparian rights	1 hour	Y
Land Surveyor - TBD	Physical boundaries of riparian rights	1 hour	Y
State Board Staff	Enforcement Basis	1 hour	Maybe

(Note: Peder Hoy reserves the right to update this NOI. Because the Prosecution Team has not yet produced its file related to this enforcement action, discovery is continuing.)

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

Signature:  Dated: 8/17/16

Name (Print): Jennifer Spaletta (Spaletta Law P.C.)

Mailing Address: P.O. Box 2660, Lodi, CA 95241

Phone Number: (209) 224-5568 Fax Number: (209) 224-5589

E-mail: Jennifer@spalettalaw.com

**STATEMENT OF SERVICE**

**Passalaqua/Hoy CDO/ACL Hearing**

I hereby certify that on August 17, 2016, I submitted to the State Water Resources Control Board and caused a true and correct copy of the following document(s):

**Peder Hoy's Notice of Intent**

to be served **by Electronic Mail** (email) upon the parties listed below:

<b>Party Affiliation</b>	<b>Email Address</b>
Andrew Taurianien – Prosecution Team	<a href="mailto:Andrew.Tauriainen@waterboards.ca.gov">Andrew.Tauriainen@waterboards.ca.gov</a>
Hearing Officer Frances Spivey-Weber – State Water Resources Control Board	<a href="mailto:Wr_Hearing.Unit@waterboards.ca.gov">Wr_Hearing.Unit@waterboards.ca.gov</a>
Hearing Officer Dorene D'Adamo – State Water Resources Control Board	<a href="mailto:Wr_Hearing.Unit@waterboards.ca.gov">Wr_Hearing.Unit@waterboards.ca.gov</a>
Stacy Henderson – Counsel for Mike Passalaqua	<a href="mailto:shenderson@thtlaw.com">shenderson@thtlaw.com</a>

I certify that the foregoing is true and correct and that this document was executed on August 17, 2016  
Date

Signature:  \_\_\_\_\_

Name: Russell Frink, Esq.

Party/Affiliation: Peder Hoy

Address: P.O. Box 2660, Lodi, CA 95241