

NOTICE OF INTENT TO APPEAR

Save the California Delta Alliance; Janet McCleary; Michael McCleary, Frank Morgan; and Captain Morgan's Delta Adventures, LLC plan to participate in the water right hearing regarding

CALIFORNIA WATERFIX HEARING

California Department of Water Resources and U.S. Bureau of Reclamation

The Public Hearing scheduled to commence on Thursday, April 7, 2016

1) Check all that apply:

- I/we intend to participate in Part I of the hearing
- I/we intend to participate in Part II of the hearing

2) Check the applicable boxes below. Be sure to accurately describe your participation in the hearing. (Please refer to Enclosure D of the October 30, 2015 Notice of Petition, Public Hearing, and Pre-Hearing Conference (Hearing Notice) for descriptions of "parties" and "interested persons"):

- I/we intend to participate in the hearing as an interested person and present a policy statement only. Part I Part II
- I/we intend to participate in the hearing as a party by cross-examination and/or rebuttal only and may present an opening statement.
 Part I Part II
- Part I:** I/we plan to participate in Part I as a party and call the following witnesses to testify at the hearing. (Fill in the following table for Part I of the hearing only)

NAME	SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate)	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)

(If more space is required, please add additional pages.)

- Part II:** I/we plan to participate in Part II as a party and will call witnesses to testify at the hearing. Please note that you will be required to submit a Supplemental Notice of Intent to Appear at a date to be determined for Part II of the hearing that lists your witnesses, subject of proposed testimony, etc.

3) Check if applicable:

- I/we have also protested the Petition in accordance with Water Code section 1703.2.

*Note: If have protested the Petition, you must also fill out sections 1 and 2 of this form above and indicate your intent to appear at the hearing to present evidence in support of your protest. If you do not resolve your protest with the petitioners prior to the hearing, and then do not present a case supporting your protest at the hearing, your protest will be dismissed. It is **not** necessary to file a protest to participate in the hearing.*

Continue to next page

4) Fill in the following information of the Participant, Party, Attorney, or Other Representative:

Name (Print): Michael A. Brodsky, Law Offices of Michael A. Brodsky, attorney for Protestants Janet McCleery; Michael McCleery; Frank Morgan; Captain Morgan's Delta Adventures, LLC; and Save the California Delta Alliance.

Mailing Address: 201 Esplanade, Upper Suite, Capitola, CA 95010
Phone Number: 831-469-3514 Fax Number: 831-471-9705

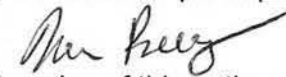
E-mail: michael@brodskylaw.net

Protestants Janet and Michael McCleery, 5672 Drakes Blvd., Discovery Bay, CA 94505.
Protestants Frank Morgan and Captain Morgan's Delta Adventures, LLC, 1700 Riverlake Rd., Discovery Bay, CA 94505.
Protestants Save the California Delta Alliance, P.O. Box 1760, Discovery Bay, CA 94505

Optional:

I/we **decline** electronic service of hearing-related materials. If you are unable to accept electronic service for any reason, please contact the hearing team by Tuesday, January 5, 2016, at 916-319-0960 or by email at CWFhearing@waterboards.ca.gov.


In an abundance of caution to make clear our participation: We have filed a protest; we intend to participate in Phase I by presenting a policy statement only; we intend to participate fully in Phase II as a party and will call witnesses to testify.

SIGNATURE  1/5/16

Certificate of Service. I declare under penalty of perjury that copies of this notice of intent to appear were served via email upon:

California Department of Water Resources
c/o James Mizell
1416 Ninth Street, Room 1104
Sacramento, CA 95818
James.Mizell@water.ca.gov

U.S. Bureau of Reclamation
c/o Amy Aufdemberge
U.S. Department of Interior
Office of Regional Solicitor, Pacific Southwest Region
2800 Cottage Way
Sacramento, CA 95825-1898
Amy.Aufdemberge@sol.doi.gov

Signature:  Date: 1/5/16