

NOTICE OF INTENT TO APPEAR

The San Joaquin Tributaries Authority (SJTA), Merced Irrigation District, Modesto Irrigation District, Oakdale Irrigation District, South San Joaquin Irrigation District, Turlock Irrigation District, and the City and County of San Francisco plans 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)
Dan Steiner	Hydrological modeling and hydrology for Delta and upstream Delta areas	TBD	YES
Susan Paulsen	Delta hydrodynamics and water movement in and around the Delta	TBD	YES
MBK Engineers	Review and critique of hydrologic modeling supporting the BDCP/California WaterFix draft EIR/EIS	TBD	YES

(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.*

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

Name (Print): Tim O'Laughlin and Valerie C. Kincaid

Mailing

Address: O'Laughlin & Paris LLP

2617 K Street, Suite 100, Sacramento, CA 95816

Phone Number: (916) 514-5245 Fax Number: (530) 899-1367

E-mail: towater@olaughlinparis.com

vkincaid@olaughlinparis.com

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.

Signature: 

Date: January 5, 2016

1 Re: *Before the California State Water Resources Control Board*
2 *Public Hearing to Determine Requested Changes in Water Rights of the*
3 *Department of Water Resources and U.S. Bureau of Reclamation for the*
4 *California WaterFix Project*
5 *San Joaquin Tributaries Authority's Protest to Phase 1 of the Petition*

6
7
8
9
10 **PROOF OF SERVICE BY EMAIL/MAIL**

11 (Government Code §11440.20)

12 I, Linda L. Wood, declare that:

13 I am employed in the County of Sacramento, State of California. I am over the age of eighteen years
14 and not a party to the within cause. My business address is 2617 K Street, Suite 100, Sacramento, CA 95814.
15 On this date, in the following manner, I served the foregoing document(s) identified as:

16 **THE SAN JOAQUIN TRIBUTARIES AUTHORITY'S NOTICE OF INTENT TO**
17 **APPEAR AT PART 1 AND PART 2 OF THE HEARING REGARDING THE PETITION**
18 **REQUESTING CHANGES IN WATER RIGHTS OF THE DEPARTMENT OF WATER**
19 **RESOURCES AND U.S. BUREAU OF RECLAMATION FOR THE CALIFORNIA**
20 **WATERFIX PROJECT**

21 **▶▶▶ UNITED STATES MAIL** [CCP §1013]: I enclosed the documents in a sealed envelope addressed to
22 the following persons and placed the envelope for collection and mailing, following our ordinary
23 business practices. I am readily familiar with our practice for collection and processing
24 correspondence for mailing. On the same day that the correspondence is placed for collection and
25 mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a
26 sealed envelope with postage thereon fully prepaid at Chico, California addressed as below:

27 **FACSIMILE:** Based on prior consent, I caused the documents to be sent to the following persons
28 via telecopier/facsimile machine a true copy thereof to the parties indicated below:

OVERNIGHT DELIVERY [CCP §1013(c)]: I enclosed the documents in a sealed envelope
provided by an overnight delivery carrier and addressed it to the persons identified below. I placed
said envelope for collection at a regularly utilized drop box of the overnight carrier.

▶▶▶ E-MAIL [CCP §1010.6]: Based on pending consent of the parties, and/or court order or an
agreement of the parties to accept service by e-mail, I caused the documents to be sent to the
following persons at the following e-mail address, and did not receive, within a reasonable time
after the transmission, any electronic message or other indication that the transmission was
unsuccessful:

PERSONAL DELIVERY [CCP §415.10] I arranged to have the documents personally delivered to
the office of the persons identified below on _____:

27 **SEE ATTACHED SERVICE LIST**

SERVICE LIST

1
2 California Department of Water Resources
3 c/o James Mizell
4 1416 Ninth Street, Room 1104
5 Sacramento, CA 95818
6 Email: James.Mizell@water.ca.gov

7 U.S. Bureau of Reclamation
8 c/o Amy Aufdemberge
9 U.S. Department of Interior
10 Office of Regional Solicitor, Pacific
11 Southwest Region
12 2800 Cottage Way
13 Sacramento, CA 95825-1898
14 Email: Amy.Aufdemberge@sol.doi.gov

15 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
16 and correct, and that this declaration was executed on January 5, 2016, at Sacramento, California.

17
18
19
20
21
22
23
24
25
26
27
28


Linda L. Wood, Legal Assistant