

May 11, 2011

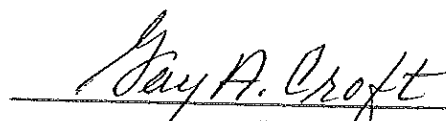
State Water Resources Board
 Division Water Board
 % Michael Buckman

Dear Sir

This letter is written confirmation of our phone conversation with Carlos Mejia and Yvonne West, on May 9, 2013, that we David W. Croft and Gay A. Croft Trustees of the Croft Family Trust, **DO NOT WANT** a hearing on July 24, 2013 or at any other time.

A check for \$1,000 is being sent under separate cover to Yvonne West per her disrection.


 DAVID W. CROFT


 GAY A. CROFT

Address of property:
 4901 Little Mill Creek Rd.
 Philo, California
 95466



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

**NOTICE OF PUBLIC HEARINGS AND MEETING OF THE
STATE WATER RESOURCES CONTROL BOARD**

The State Water Resources Control Board will hold two separate
Public Hearings to determine whether to adopt Orders imposing

**Administrative Civil Liability for Failure to File
Statements of Water Diversion and Use**
upon

David Burton
Unnamed Stream Tributary to Bidwell Creek in Sonoma County

David Croft and the DW Croft and GA Croft Family Trust
Unnamed Stream Tributary to Mill Creek in Mendocino County

The State Water Resources Control Board will then convene a closed session and
public meeting.

The Public Hearings and Meeting of the State Water Resources Control Board
will be held on
Wednesday, July 24, 2013,
at 9:00 a.m.

in
the Coastal Hearing Room
Joe Serna, Jr.-Cal/EPA Building
1001 I Street, Second Floor
Sacramento, CA

PURPOSE OF HEARINGS

The purpose of each hearing is for the State Water Resources Control Board (State Water Board or Board) to receive evidence relevant to determining whether to adopt orders imposing administrative civil liability and, if so, whether in the amount of \$1,000, or some other amount, upon: (1) David Burton; and (2) David Croft and the DW Croft and GA Croft Family Trust.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

David Croft and DW Croft and GA Croft Family Trust

On April 10, 2012, the Assistant Deputy Director for Water Rights issued an administrative civil liability complaint against David Croft (Mr. Croft) and the DW Croft and GA Croft Family Trust (Croft Trust), for their alleged failure to file a Statement with the Division by July 1, 2010, as required by Water Code, sections 5101-5103. By letter dated April 23, 2012, Mr. Croft requested a hearing.

KEY ISSUE

Each public hearing presents the following key issues:

Should the State Water Board adopt an order imposing administrative civil liability? If so, in what amount should the Board impose administrative civil liability and on what basis should it do so?

HEARING OFFICER AND HEARING TEAM

State Water Board Chair Felicia Marcus will preside over these proceedings. A quorum of the Board will be present. State Water Board staff hearing team members will include Carlos Mejia, Staff Counsel; Jean McCue, Water Resource Control Engineer and Kathleen Groody, Environmental Scientist. The hearing team will assist the members of the State Water Board throughout these proceedings.

SEPARATION OF FUNCTIONS

A staff prosecution team will be a party in these hearings. State Water Board prosecution team members will include Yvonne West, Senior Staff Counsel and John O'Hagan, Senior Water Resource Control Engineer.

The prosecution team is separated from the hearing team and is prohibited from having *ex parte* communications with the members of the State Water Board and members of the hearing team regarding substantive issues and controversial procedural issues within the scope of these proceedings. This separation of functions also applies to the supervisors of each team.

HEARING PARTICIPATION

IF YOU WANT TO TAKE PART IN ANY OF THE EVIDENTIARY HEARINGS, you should carefully read the enclosure entitled "Information Concerning Appearance at Water Right Hearings at Board Meetings." As stated in that enclosure, each party wishing to present evidence at any of the hearings must submit a **Notice of Intent to Appear**, which must be received by the State Water Board no later than the deadline listed below. **If David Burton fails to submit a Notice of Intent to Appear by the deadline specified in this notice, the Board will deem his request for a hearing regarding the imposition of administrative civil liability to be withdrawn, and administrative civil liability may be imposed without further notice. If David Croft and the DW Croft and GA Croft Family trust fail to submit a Notice of Intent to Appear by the deadline specified in this notice, the Board will deem their request for a hearing regarding the imposition of administrative civil liability to be withdrawn, and administrative civil liability may be imposed without further notice.**