

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



October 19, 2005

Tam Doduc, Chair and Hearing Officer
Arthur Baggett, Jr., Hearing Officer
State Water Resources Control Board
1001 I Street, 14th Floor
Sacramento, CA 95814

Subject: Hearing on Cease and Desist Order Regarding Delta Salinity

Dear Ms. Doduc and Mr. Baggett,

Please find enclosed two copies of the Department of Water Resources October 14, 2005, Revised Notice of Intent to Appear (NOI) at the State Water Resources Control Board Hearings regarding the Draft Cease and Desist Orders against the California Department of Water Resources and the U.S. Bureau of Reclamation. I am requesting your approval of this Revised NOI as it was submitted subsequent to the required date of September 30. The October 14 NOI changes Karl Winkler and Francis Chung to the list of witnesses available for questions. Paul Marshall, already listed as a witness regarding the SDIP and operable gates, will replace Karl Winkler, and Tara Smith, already listed as a witness available for questions, will replace Francis Chung. In addition, DWR would like to add three names to the list of witnesses available for questions: Mike Ford, Jose Faria, and Ed Morris.

This letter has been sent to parties of this hearing as indicated on the attached Proof of Service and Service List.

Thank you for consideration of this request to accept DWR's October 14, 2005 Revised NOI.

A handwritten signature in cursive script that reads "Cathy Crothers".

Cathy Crothers
Senior Staff Counsel

Attachments

REVISED
NOTICE OF INTENT TO APPEAR

Department of Water Resources plans to participate in the water right hearing regarding:
(name of party or participant)

Delta Salinity Draft CDOs, Sacramento and San Joaquin Rivers and Delta
Scheduled for
October 24 & 25, 2005

- I/we intend to present a policy statement only.
- I/we intend to participate by cross-examination or rebuttal only.
- X I/we agree to accept electronic service of hearing-related materials.
- X 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)
Jerry Johns	DWR operations	20 minutes	Yes
Paul Marshall	South Delta	10 minutes	Yes
Tara Smith	SWP operations & modeling	20 minutes	Yes
John Leahigh	SWP operations	15 minutes	Yes
John Letey	Irrigation water quality	20 minutes	Yes
Paul Marshall	SDIP & operable gates	20 minutes	Yes
Mark Holderman	Temporary barrier operations	15 minutes	Yes

** List Continues on page 2

Name, Address, Phone Number and Fax Number of Attorney or Other Representative
Signature: *Cathy Crothers* Dated: October 14, 2005

Name (Print): Cathy Crothers, Senior Staff Counsel

Mailing Address: 1416 Ninth Street, Room 1118, Sacramento, California 95814

Phone Number: (916) 653-5613 Fax Number: (916) 653-0952

E-mail Address: crothers @ water.ca.gov

**REVISED
NOTICE OF INTENT TO APPEAR**

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Karl Winkler	South Delta	Available for questions	yes
Rich Breuer	Water Quality	Available for questions	yes
Francis Chung	SWP Operations & Modeling	Available for questions	yes
Mike Ford	South Delta	Available for questions	yes
Jose Faria	San Joaquin River Water Quality	Available for questions	yes
Parviz Nader-Tehrani	SWP Operations & Modeling	Available for questions	yes
Maureen Sergent	Water Rights	Available for questions	yes
Tracy Hinojosa	SWP Operations/WQRP	Available for questions	yes
Jean Woods	Land & Water Use	Available for questions	yes
Art Hinojosa	SWP Operations	Available for questions	yes
Bob Suits	SWP Operations & Modeling	Available for questions	yes
Ed Morris	South Delta	Available for questions	yes

PROOF OF SERVICE

I, Amir Rangchi, declare that I am over 18 years of age. I am employed at State of California, Department of Water Resources in Sacramento County at 1416 9th Street, Room 1118, Sacramento, California 95814. My mailing address is P.O. Box 942836, Sacramento, CA 95814-0001. On this date, I served true and correct copies of the attached documents:

**DEPARTMENT OF WATER RESOURCES' EXHIBITS AND TESTIMONY
FOR THE DELTA SALINITY DRAFT CDOs and WQRP HEARING**

	BY FACSIMILE: I caused a true and correct copy of the document to be transmitted by a facsimile machine compliant with rule 2003 of the California Rules of Court to the offices of the addresses at the telephone numbers shown on the service list.
X	BY ELECTRONIC MAIL: I caused a true and correct copy of the document(s) to be transmitted by electronic mail compliant with section 1010.6 of the California Code of Civil Procedure to the person(s) as shown.
	BY HAND DELIVERY: I caused a true and correct copy of the document(s) to be hand-delivered to the person(s) as shown.
	BY OVERNIGHT MAIL TO ALL PARTIES LISTED: I am readily familiar with my employer's practice for the collection and processing of overnight mail packages. Under that practice, packages would be deposited with an overnight mail carrier that same day, with overnight delivery charges thereon fully prepaid, in the ordinary course of business.
X	BY FIRST CLASS MAIL TO PARTIES: I am readily familiar with my employer's practice for the collection and processing of mail. Under that practice, envelopes would be deposited with the U.S. Postal Service that same day, with first class postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing shown in this proof of service.

Proof of Service

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on October 19, 2005, at Sacramento, California.



Amir Rangchi

Service List

By placing a true copy thereof in separate, sealed envelopes addressed to:

Cathy Crothers, Senior Staff Counsel [Via email]
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