

## Farwell Jensen, Jane@Waterboards

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**From:** Petruzzelli, Kenneth@Waterboards  
**Sent:** Thursday, July 06, 2017 11:13 AM  
**To:** Unit, Wr\_Hearing@Waterboards  
**Cc:** Mapes, Heather@Waterboards; Mrowka, Kathy@Waterboards; O'Hagan, John@Waterboards; Murano, Taro@Waterboards; Anderson, Skyler@Waterboards; Van Camp, Marc@Waterboards; Feiler, Stormer@Waterboards; Henriouille, Diana@Waterboards; Lee, Shin-Roei@Waterboards; Jacobsen, Nathan@Waterboards  
**Subject:** Marble Mountain Ranch-Cole Hearing  
**Attachments:** Notice of Intent to Appear (PT).pdf

Hearing Team,

Please accept the attached Notice of Intent to Appear for the Prosecution Team. We anticipate our oral testimony will require more than one (1) hour total and will file a request for additional time once the service list becomes available.

Ken Petruzzelli, Attorney III  
State Water Resources Control Board  
Office of Enforcement  
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**NOTICE OF INTENT TO APPEAR**

The Division of Water Rights Prosecution Team plans to participate in the water right hearing regarding (name of party or participant)

whether to issue an order finding waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water and ordering corrective actions against

Douglas and Heidi Cole and Marble Mountain Ranch  
scheduled to commence

**Tuesday, August 22, 2017 at 10:00 a.m.**

and continue, if necessary, on

**August 23, 24, and 25, 2017**

**1) 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.

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b>	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Taro Murano	Key Issue 1 and 2	20	Yes
Skyler Anderson	Key Issue 1 and 2	20	Yes
Marc Van Camp	Key Issue 1 and 2	5	Yes
Stormer Feiler	Key Issue 1 and 2	15	Yes
Joey Howard*	Key Issue 1 and 2	10	Yes
United States Forest Service – Person(s) Most Knowledgeable*	Key Issue 1 and 2	10	Yes
Rebuttal Witnesses TBD	The Prosecution Team will call rebuttal witnesses as necessary		

(If more space is required, please add additional pages or use reverse side.)

\* The Prosecution Team anticipates requiring additional time to present testimony from the United States Forest Service and from Mr. Joey Howard. As their testimony is important and relevant to the key issues, the Prosecution team requests additional time to present these witnesses.

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

Name (Print): Kenneth Petruzzelli, Attorney III, Office of Enforcement

Mailing Address: State Water Resources Control Board  
801 K St., 23<sup>rd</sup> Floor, Sacramento, 95814

Phone Number: 916-319-8577 Fax Number: 916-341-5896

E-mail: [Kenneth.petruzzelli@waterboards.ca.gov](mailto:Kenneth.petruzzelli@waterboards.ca.gov)  
[Heather.mapes@waterboards.ca.gov](mailto:Heather.mapes@waterboards.ca.gov)

I/we decline electronic service of hearing-related materials. **[PT accepts electronic service]**

Signature: 

Dated: July 6, 2017