

June 12, 2013

Via Hand Delivery and Electronic Mail (wrhearing@waterboards.ca.gov)

Jean McCue
Division of Water Rights
State Water Resources Control Board
1001 I Street, 2nd Floor
Sacramento, California 95814

STATE WATER RESOURCES
CONTROL BOARD
2013 JUN 12 AM 11:25
DIV OF WATER RIGHTS
SACRAMENTO

Re: Amended Notice of Intent to Appear by Monterey County Water Resources Agency
Request for Additional Time to Present Witness Testimony
Permit 11043 (Application 13225)

Dear Ms. McCue:

Attached hereto is an original and two copies of Monterey County Water Resources Agency's (the "Agency") Amended Notice of Intent to Appear at the public hearing on the proposed revocation of Permit 11043 (Application 13225).

The Agency hereby requests additional time to present testimony of its witnesses Robert Johnson and Dennis Williams. In particular, the Agency requests an additional 10 minutes for the testimony of Dennis Williams (for a total of 30 minutes) and an additional 25 minutes for the testimony of Robert Johnson (for a total of 45 minutes). In total, the Agency requests 90 minutes for the presentation of the direct testimony of its case-in-chief witnesses.

Robert Johnson is the Agency's Assistant General Manager and Chief of Water Resources Planning. Mr. Johnson will present testimony regarding the Agency's due diligence over the last thirty-one years to place the water appropriated under Permit 11043 to use to combat seawater intrusion in the Salinas Valley Groundwater Basin. This diligence involves a comprehensive Basin Management Plan process and the careful planning and implementation of two projects to alleviate groundwater pumping from the Basin. In addition, Mr. Johnson will present testimony regarding the Agency's current plans and efforts to continue this diligence in Phase II of the Salinas Valley Water Project to bring resolution to the seawater intrusion problems that have plagued the Salinas Valley for decades. Mr. Johnson's testimony is directly related to all of the key issues, in particular Key Issue 2 regarding the Agency's due diligence. The Agency's extensive efforts to place the water appropriated under Permit 11043 to complete beneficial use and the complicated history of those efforts constitute good cause of additional time for Mr. Johnson's direct testimony.

Dennis Williams, PhD is President of GeoScience Support Services, Inc., which has been retained by the Agency as its expert regarding the hydrology of the Salinas Valley Groundwater Basin. Mr. Williams's testimony will describe the relationship between the surface water appropriated under Permit 11043 and the Salinas Valley Groundwater Basin as it relates to the Agency's past and current efforts to repel seawater intrusion. In particular, GeoScience has analyzed and determined the quantity of water that would be necessary to bring resolution to the seawater intrusion problem plaguing the Basin. In this way, Mr. Williams's testimony is related to Key Issue 1 and will also inform the Board's understanding of the Agency's due diligence in pursuing application of the water appropriated under Permit 11043. Therefore, good cause exists for 10 extra minutes of direct testimony by Mr. Williams.

The Agency appreciates the Board's consideration of its requests for additional time for direct testimony.

Very truly yours,



David R.E. Aladjem

cc: Service List

1320661.1

AMENDED NOTICE OF INTENT TO APPEAR

Monterey County Water Resources Agency (MCWRA) plans to participate in the water right hearing regarding:

**Monterey County Water Resources Agency
Proposed Revocation Hearing
Permit 11043 (Application 13225)**

MCWRA intends to present a case-in-chief addressing the key issues identified in the Notice of Public Hearing and, if not stricken, the additional key issue identified in the Notice of Rescheduling of Public Hearing.

**[Originally Scheduled to commence Monday, January 28, 2013 at 9:00 a.m.]
Rescheduled to commence Tuesday, August 13, 2013 at 9:00 a.m. and continuing
August 14, 2013 at 9:00 a.m. if necessary.**

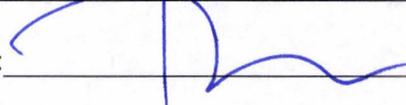
We plan to call the following witnesses to testify at the hearing:

<u>NAME</u>	<u>SUBJECT OF PROPOSED TESTIMONY</u>	<u>ESTIMATED LENGTH OF DIRECT TESTIMONY</u>	<u>EXPERT WITNESS (YES/NO)</u>
David Chardavoyne	MCWRA due diligence; future beneficial use of subject water.	15 minutes	NO
Robert Johnson*	MCWRA due diligence; future beneficial use of subject water.	45 minutes	YES
Dennis Williams PhD*	Ground/surface water interactions in the Salinas Valley; future beneficial use of subject water.	30 minutes	YES

MCWRA also anticipates policy statements will be presented on its behalf by third parties that have not yet been identified. Once such policy statements are identified, MCWRA will arrange for notices of intent to be submitted.

*Technical staff who have performed work under the supervision of the principal witness will be available to clarify technical issues.

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

Signature:  Dated: 6/11/13

Name (Print): Kevin M. O'Brien; David R. E. Aladjem
Mailing Address: 621 Capitol Mall, 18th Floor, Sacramento, CA 95814
Phone Number: (916) 444-1000. Fax Number: (916) 520-5635.
E-mail: kobrien@downeybrand.com; daladjem@downeybrand.com

**SERVICE LIST OF PARTICIPANTS TO EXCHANGE INFORMATION:
MONTEREY COUNTY WATER RESOURCES AGENCY
PROPOSED REVOCATION HEARING**

**SERVICE LIST
(REVISED January 16, 2013)**

PARTICIPANTS TO BE SERVED WITH WRITTEN TESTIMONY, EXHIBITS, AND OTHER DOCUMENTS. (Note: The participants listed below agreed to accept electronic service, pursuant to the rules specified in the hearing notice.)

<p>MONTEREY COUNTY WATER RESOURCES AGENCY Kevin M. O'Brien 621 Capitol Mall, 18th Floor Sacramento, CA 95814 (916) 444-1000 kobrien@downeybrand.com daladjem@downeybrand.com</p>	<p>DIVISION OF WATER RIGHTS PROSECUTION TEAM David Rose State Water Resources Control Board 1001 I Street Sacramento, CA 95814 (916) 341-5196 DRose@waterboards.ca.gov</p>
<p>MARY ORRADRE, ET AL. Thomas Virsik Law Offices of Patrick Maloney 2425 Webb Avenue, Suite 100 Alameda, CA 94501 (510) 521-4575 pjmlaw@pacbell.net</p>	<p>MARINA COAST WATER DISTRICT Roger K. Masuda Griffith & Masuda, A Professional Law Corporation P.O. Box 510 Turlock, CA 95381 (209) 667-5501 rmasuda@calwaterlaw.com</p>
<p>SALINAS VALLEY WATER COALITION Nancy Isakson 3203 Playa Court Marina, CA 93933 (831) 224-2879 nisakson@mbay.net</p>	<p>MONTEREY COUNTY FARM BUREAU Norman C. Groot P.O. Box 1449 Salinas, CA 93902-1449 (831) 751-3100 norm@montereycfb.com</p>
<p>Kevin Piearcy P.O. Box 1355 Gonzales, CA 93926 (831) 679-2525 Pumph20101@hotmail.com</p>	