

NOTICE OF INTENT TO APPEAR

Modesto Irrigation District _____ plans to participate in the water right hearing regarding
(name of party or participant)

Draft Cease and Desist Order
and Administrative Civil Liability
against
Mike Passalaqua and Peder Hoy

**scheduled to commence
Friday, October 14, 2016
at 9:00 a.m.**

1) Check only one (1) of the following:

- I/we intend to present a policy statement only.
- I/we intend to participate by cross-examination or rebuttal only.
- I/we plan to call the following witnesses to testify at the hearing. (Fill in the Following Table)

Name	Subject of Proposed Testimony	Estimated Length of Direct Testimony	Expert Witness (Yes/No)

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

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

Name (Print): Anna Brathwaite

Mailing Address: P.O. Box 4060
Modesto, CA 95352

Phone Number: (209) 526-7383 Fax Number: (209) 526-7383

E-mail: anna.brathwaite@mid.org

Optional:

- I/we decline electronic service of hearing-related materials.

Signature:  Date: 08/15/2016

2 **PROOF OF SERVICE**

3 I, SHELLY MCLEAN, declare that:

4
5 I am employed in the County of Stanislaus, State of California. I am over the age of eighteen years
6 and not a party to the within cause. My business address is 1231 Eleventh Street, Modesto,
7 California 95354. On this date, in the following manner, I served the foregoing document(s)
8 identified as:

9 **NOTICE OF INTENT OT APPEAR**

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

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

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

23 E-MAIL I caused the documents to be sent to the person listed below at the following e-
24 mail address wrhearing@waterboards.ca.gov, and did not receive, within a reasonable time after
25 the transmission, any electronic message or other indication that the transmission was
26 unsuccessful:

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

Division of Water Rights
State Water Resources Control Board
Attn: Jane Farwell-Jensen
P.O. Box 2000
Sacramento, CA 95812-2000
wrhearing@waterboards.ca.gov

SHELLY MCLEAN