



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterrights.ca.gov

Arnold Schwarzenegger
Governor

February 8, 2013

VIA ELECTRONIC MAIL

TO: ENCLOSED SERVICE LIST OF PARTICIPANTS

SERVICE LIST OF PARTICIPANTS TO EXCHANGE INFORMATION: Proposed Revocation of License 5763 (Application 15679) - Millview County Water District - Russian River (Underflow) in Mendocino County

In accordance with the State Water Resources Control Board's (State Water Board) Notice of Public Hearing, dated **December 6, 2012**, regarding the above subject hearing, enclosed is a Service List of Participants who have submitted a Notice of Intent to Appear (NOI) and who have indicated intent to participate in the above-referenced hearing. Copies of the NOIs are attached.

PLEASE NOTE

The State Water Board has rescheduled the hearing to adjust to the State holiday (Ceasar Chavez Day) on April 1, 2013. The rescheduled hearing will commence on Tuesday, April 2, 2013, to be continued, if necessary, on Friday, April 5, 2013. Attached is the State Water Board's formal Notice of Rescheduling of Public Hearing that describes these new hearing dates. The Notice of Rescheduling does not change the originally noticed scope of the hearing or other hearing requirements contained in the December 6, 2012, Notice of Public Hearing.

As instructed in Section 6 of the December 6, 2012 Notice's attachment entitled, "Information Concerning Appearance at Water Right Hearings," each participant shall submit to the State Water Board **five (5) paper copies** and **one electronic copy** of each of its exhibits. With its exhibits, each participant must submit a completed Exhibit Identification Index. Please submit the Exhibit Identification Index to the State Water Board in either Microsoft Word or Excel format. Please see Section 7 of the Notice's attachment for details regarding electronic submissions. Each participant shall also serve a copy of each exhibit and the exhibit index on every participant identified on the service list as a participant to be served. A statement of service with manner of service indicated shall be filed with each participant's exhibits.

The exhibits and indexes for this hearing, and a statement of service, must be **received by the State Water Board and served on the other parties no later than 12 noon, Monday, March 11, 2013**. Participants may serve those participants who agree to electronic service with an electronic copy of exhibits. For this hearing, all participants have agreed to accept electronic service of hearing-related materials.

California Environmental Protection Agency

Millview County Water District
Proposed Revocation of License 5763
Service List of Participants

2-

February 8, 2013

All written testimony and other exhibits submitted to the State Water Board should be addressed as follows:

Division of Water Rights
State Water Resources Control Board
Attention: Ernest Mona
P.O. Box 2000
Sacramento, CA 95812-2000

Email: wrhearing@waterboards.ca.gov
With Subject of **"Millview Revocation Hearing"**

The NOIs and other documents related to this hearing will also be posted on the Division of Water Rights [project website](#).

If you have any questions regarding this letter, please contact me at (916) 341-5359 or by email at emona@waterboards.ca.gov.

Sincerely,



Ernest Mona
Hearings and Special Projects

Enclosures: Service List, NOIs, Notice of Rescheduling of Public Hearing

**HEARING REGARDING THE PROPOSED REVOCATION OF LICENSE 5763
(APPLICATION 15679) - MILLVIEW COUNTY WATER DISTRICT -
RUSSIAN RIVER (UNDERFLOW) IN MENDOCINO COUNTY**

RESCHEDULED TO COMMENCE ON APRIL 2, 2013

**SERVICE LIST OF PARTICIPANTS
(February 7, 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.)

MILLVIEW COUNTY WATER DISTRICT
c/o Christopher J. Neary, Esq.
110 S. Main Street, Suite C
Willits, CA 95490
cjneary@pacific.net

DIVISION OF WATER RIGHTS
PROSECUTION TEAM
c/o Nathan Jacobsen, Esq.
State Water Resources Control Board
1001 I. Street
Sacramento, CA 95814
Nathan.Jacobsen@waterboards.ca.gov

SONOMA COUNTY WATER AGENCY
c/o Alan B. Lilly, Esq.
Bartkiewicz, Kronick & Shanahan, P.C.
1011 22nd Street
Sacramento, CA 95618-4907
abl@bkslawfirm.com

**LIST OF PARTICIPANTS MAKING POLICY STATEMENTS ONLY
(Participants are not required to serve the following participants with written testimony, exhibits or other documents)**

CALIFORNIA DEPARTMENT OF FISH AND
GAME
c/o Tony LaBanco
616 Second Street
Eureka, CA 95501
tony.labanca@wildlife.ca.gov

NOTICE OF INTENT TO APPEAR

Millview County Water Dist. plans to participate in the water right hearing regarding
(name of party or participant)

Proposed Revocation Hearing

**Millview County Water District
Russian River (Subterranean Stream) in Mendocino County
License 5763 (Application 15679)**

**scheduled to commence
April 1-2, 2013**

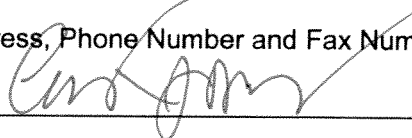
Check all that apply:

- I/we intend to present a policy statement only.
- I/we intend to participate by cross-examination or rebuttal only.
- I/we agree to accept electronic service of hearing-related materials.
- 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)
Luaren Beuving	Use of Water Rights	30	No
Tim Bradley	Acquisition & Application	45	Yes
Leonard Charles	Enviromental Process	30	Yes
Lee Howard	Purpose of Complaint	5	NO
Jan Goldsmith	Permit Process	30	Yes
Rose Murphy	Use and Process	30	Yes

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

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

Signature:  Dated: 2/4/2013

Name (Print): Christopher J. Neary

Mailing Address: 110 S. Main St., Suite C Willits, CA. 95490

Phone Number: (707) 459-5551 Fax Number: (707) 459-3018

E-mail: cjneary@pacific.net

NOTICE OF INTENT TO APPEAR

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

Proposed Revocation Hearing

**Millview County Water District
Russian River (Subterranean Stream) in Mendocino County
License 5763 (Application 15679)**

**scheduled to commence
April 1-2, 2013**

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 agree to accept electronic service of hearing-related materials.
- I/we plan to call the following witnesses to testify at the hearing.

e-service confirmed via 01/30/13 email by Emona

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Katherine Mrowka	License 5763, Non-Use Water Rights	20 min	Yes
Lauren Dailey Mulloy	License 5763, Field Investigation, Non Use	20 min	Yes

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

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

Signature:  Dated: January 29, 2013

Name (Print): Nathan Jacobsen

Mailing Address: 1001 I Street, Sacramento, CA 95814

Phone Number: () 916- 341-5181 Fax Number: () 916-341-5199

E-mail: njacobsen@waterboards.ca.gov

NOTICE OF INTENT TO APPEAR

Sonoma County Water Agency plans to participate in the water right hearing regarding
(name of party or participant)

Proposed Revocation Hearing

**Millview County Water District
Russian River (Subterranean Stream) in Mendocino County
License 5763 (Application 15679)**

**scheduled to commence
April 1-2, 2013 (has been changed to April 2 & 5, 2013)**

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 agree to accept electronic service of hearing-related materials.
- I/we plan to call the following witnesses to testify at the hearing.

e-service confirmed via 02/06/13 email by Emona

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Pamela Jeane	Effects on Russian River flows and supplies	30 min.	yes

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

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

Signature: *Alan B. Lilly* Dated: Feb. 6, 2013

Name (Print): Alan B. Lilly, Attorney for Sonoma County Water Agency

Mailing

Address: Bartkiewicz, Kronick & Shanahan, P. C., 1011 22nd Street, Sacramento, CA 95618-4907

Phone Number: (916) 446-4254 Fax Number: (916) 446-4018

E-mail: abl@bkslawfirm.com

NOTICE OF INTENT TO APPEAR

California Department of Fish and Wildlife (CDFW) plans to participate in the water right hearing regarding:
(name of party or participant)

Proposed Revocation Hearing

**Millview County Water District
Russian River (Subterranean Stream) in Mendocino County**

**scheduled to commence
April 1, 2013**

STATE WATER RESOURCES
CONTROL BOARD
2013 FEB - 7 PM 12:17
DIV. OF WATER RIGHTS
SACRAMENTO

- I/we intend to present a policy statement only.
- I/we intend to participate by cross-examination or rebuttal only.
- I/we agree to accept electronic service of hearing-related materials.
- 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)
CDFW	Policy Statement	5 minutes	

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

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

Signature:  Dated: February 7, 2013

Name (Print): Tony LaBanca

Mailing Address: California Department of Fish and Wildlife

616 Second Street, Eureka, California 95501

Phone Number: (707) 445-6493 Fax Number: (707) 441-2021

E-mail: tony.labanca@wildlife.ca.gov

State Water Resources Control Board

**NOTICE OF RESCHEDULING
OF PUBLIC HEARING**

Millview County Water District

Russian River (**Underflow**) in Mendocino County

The State Water Resources Control Board will hold a
Public Hearing on

Proposed Revocation of License 5763 (Application 15679)

The Public Hearing listed above,
originally scheduled to commence on **Monday, April 1, 2013**,
and continuing, if necessary, on **Tuesday, April 2, 2013**,
will now commence
on

Tuesday, April 2, 2013 at 9:00 a.m.
and continue, if necessary, on
Friday, April 5, 2013

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

PLEASE TAKE NOTICE

Please Note, the December 6, 2012 Notice of Public Hearing remains in effect except for the changes in dates noted herein. The changes described in this reschedule notice do not change the scope of the hearing or other hearing requirements as originally noticed, unless expressly noted herein. For further information, please refer to the original December 6, 2012 hearing notice, available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/millview_revocation/docs/pubnot_millview.pdf


IF YOU HAVE ANY QUESTIONS

During the pendency of this proceeding, there shall be no *ex parte* communications between State Water Board members or State Water Board hearing team staff and any of the other participants, including members of the prosecution team regarding substantive or controversial procedural matters within the scope of the proceeding. (Gov. Code, §§ 11430.10-11430.80.)

Questions regarding non-controversial procedural matters (Gov. Code, § 11430.20, subd. (b)) should be directed to Senior Staff Counsel Samantha Olson at (916) 327-8235, or by email to solson@waterboards.ca.gov, or Staff Engineer Ernest Mona at (916) 341-5359, or by email to emona@waterboards.ca.gov.

February 7, 2013

Date



Jeanine Townsend
Clerk to the Board