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## State Water Resources Control Board

March 21, 2012

VIA ELECTRONIC MAIL

TO: ENCLOSED SERVICE LIST

**SERVICE LIST OF PARTICIPANTS TO EXCHANGE INFORMATION: WATER RIGHT HEARING REGARDING PROPOSED REVOCATION OF LICENSE 659 (APPLICATION 553) OF THE MORONGO BAND OF MISSION INDIANS - MILLARD CANYON IN RIVERSIDE COUNTY - RESCHEDULED TO COMMENCE ON MAY 21, 2012**

In accordance with the State Water Resources Control Board's (State Water Board) Notice of Public Hearing, dated **January 26, 2012**, and Notice of Rescheduling of Public Hearing, dated **February 10, 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 enclosed.

As instructed in Section 6 of the January 26th 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 no later than **12 Noon, Monday, April 30, 2012<sup>1</sup>**. Please see Section 7 of the January 26th Notice's attachment for details regarding electronic submissions. With exhibits, each participant must submit to the State Water Board and serve on the other participants a completed "Exhibit Identification Index". Please submit the "Exhibit Identification Index" to the State Water Board in either Microsoft Word or Excel format. **All of the required copies must be received by the 12 Noon, Monday, April 30, 2012 deadline.** Each participant shall also serve a copy of each exhibit on every participant on the service list. 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.

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

**For Paper Copies:**

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

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<sup>1</sup> The original submittal date was extended to 12 Noon, Monday, April 30, 2012 in the February 10, 2012 Notice of Rescheduling of Public Hearing.

**For the Electronic Copy:**

Email: [wrhearing@waterboards.ca.gov](mailto:wrhearing@waterboards.ca.gov)  
With Subject of "Morongo Band: Revocation Hearing"

The NOIs and other documents related to this hearing will also be posted on the Division of Water Rights website at:  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/hearings/morongo\\_mission\\_indians/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/morongo_mission_indians/)

If you have any questions, please contact me at (916) 341-5354 or by email at [kgroody@waterboards.ca.gov](mailto:kgroody@waterboards.ca.gov).

Sincerely,



Kathleen Groody  
Hearings and Special Projects  
Division of Water Rights

Enclosures

**HEARING REGARDING PROPOSED REVOCATION OF LICENSE 659  
(APPLICATION 553) OF THE MORONGO BAND OF MISSION INDIANS  
MILLARD CANYON IN RIVERSIDE COUNTY  
RESCHEDULED TO COMMENCE ON MAY 21, 2012**

**SERVICE LIST  
(March 21, 2012)**

**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>MORONGO BAND OF MISSION INDIANS c/o Stuart L. Somach Somach, Simmons &amp; Dunn 500 Capitol Mall, Suite 1000 Sacramento, CA 95814 <a href="mailto:ssomach@somachlaw.com">ssomach@somachlaw.com</a> <a href="mailto:dkelly@somachlaw.com">dkelly@somachlaw.com</a></p>	<p>DIVISION OF WATER RIGHTS PROSECUTION TEAM c/o Samantha K. Olson State Water Resources Control Board 1001 I Street, 22<sup>nd</sup> Floor Sacramento, CA 95814 <a href="mailto:SOlson@waterboards.ca.gov">SOlson@waterboards.ca.gov</a></p>
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NOTICE OF INTENT TO APPEAR

Morongo Band of Mission Indians plans to participate in the water right hearing regarding  
(name of party or participant)

Proposed Revocation of License 659 (Application 553) Hearing  
Morongo Band of Mission Indians  
Millard Canyon in Riverside County

Wednesday, April 25, 2012  
at 9:00 a.m.

and continuing, if necessary, on  
Thursday, April 26, 2012

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.
- 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)
John Covington	Current & historic water use.	1 hour	Yes
Steve Johnson	Hydrology, current & historic use.	1 hour	Yes
Rob Saperstein	Reports of use.	1 hour	Yes
Barbara Karshmer	Acquisition of land and rights	1 hour	No
* See attached page			

(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: March 14, 2012

Name (Print): Stuart L. Somach

Mailing Address: Somach Simmons & Dunn  
500 Capitol Mall, Suite 1000, Sacramento, CA 95814

Phone Number: 916 ) 446-7979 Fax Number: 916 ) 446-8199

E-mail: ssomach@somachlaw.com and dkelly@somachlaw.com

Attachment to Notice of Intent to Appear  
of Morongo Bank of Mission Indians  
March 14, 2012

Morongo will, in addition to the above listed witnesses, also sponsor individuals, including the Tribal Chairman and the Bureau of Indian Affairs, who will provide Policy Statements.

Morongo reserves the right to call additional direct witnesses once it is provided a more definite statement of the charges against it.

**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 of License 659 (Application 553) Hearing  
Morongo Band of Mission Indians  
Millard Canyon in Riverside County**

**Wednesday, April 25, 2012**  
**at 9:00 a.m.**  
and continuing, if necessary, on  
**Thursday, April 26, 2012**

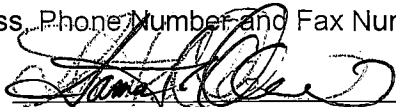
**Check all that apply:**

- 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.
- 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)
Walt Petit	License 659; 1960s non use	.20	Yes
Mozafar Behzad	License 659; 1990s non use	.20	
Robert Been	License 659; 1990s non use	.20	Yes
John O'Hagan	License 659; water rights	.20	Yes
*Charles Butcher	SP Spring; Cabazon	.20	Yes

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

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

Signature:  Dated: March 13, 2012

Name (Print): Samantha K. Olson

Mailing Address: 1001 I Street, 22nd Floor  
Sacramento, CA 95814

Phone Number: (916) 327-8235 Fax Number: (916) 341-5199

E-mail: SOlson@waterboards.ca.gov

\*not confirmed yet

Mark Streeters

License 659: revocation process

Yes