



# State Water Resources Control Board



**Linda S. Adams**  
Secretary for  
Environmental Protection

**Division of Water Rights**  
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**Arnold Schwarzenegger**  
Governor

October 26 2007

**VIA ELECTRONIC MAIL**

TO: ENCLOSED SERVICE LIST OF PARTICIPANTS

**PRE-HEARING CONFERENCE REGARDING WATER RIGHT HEARING ON YUBA COUNTY WATER AGENCY'S (YCWA) 2007 PETITION FOR MODIFICATION AND LONG-TERM TRANSFER PETITION (PROPOSED LOWER YUBA RIVER ACCORD)**

The purpose of this letter is to summarize certain matters raised during the pre-hearing conference held on October 25, 2007, regarding the above referenced hearing. As noted during the pre-hearing conference, the hearing is currently scheduled to begin at 9:00 a.m. on December 5, 2007.

During the pre-hearing conference, the matter of Cordua Irrigation District's (CID) participation was discussed and I granted the CID and other hearing participants one week to brief the issues of whether CID's concerns raised in its letter dated October 24, 2007 are relevant to this hearing. These briefs are due by close of business on November 1, 2007, and I will issue my ruling on CID's participation one week after that date. I have also granted CID one week to submit a revised Notice of Intent to Appear (NOI), should CID decide to limit its participation to providing a policy statement, cross examination and rebuttal testimony.

At my request, the Department of Water Resources (DWR) agreed to provide an additional witness who can provide testimony on potential rates and timing of Delta pumping associated with YCWA's proposed long-term transfer of water, and any other operational issues. I have granted DWR until close of business on November 1, 2007, to submit a revised NOI.

I invited California Department of Fish and Game, and those other participants who have expertise in Delta fisheries, to submit a revised NOI to include such a fisheries expert. Any revised NOI will be due by close of business on November 1, 2007.

Regarding the failure of United States Bureau of Reclamation (USBR) and Anglers Committee of California (Anglers Committee) to attend the pre-hearing conference, I will grant these participants one week, until close of business on November 1, 2007, to submit good cause for their failure to appear in the event they still intend to participate at the hearing. I will issue my ruling on their participation one week after that day.

Finally, I will rule on the disposition of the protests submitted by the Angler's Committee and the South Delta Water Agency, and on whether this hearing should continue, shortly after receiving all submittals.

**California Environmental Protection Agency**

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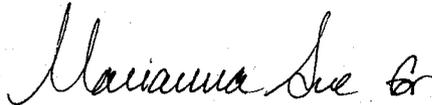
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## Division of Water Rights

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If you have any non-controversial, procedural questions, please contact Marianna Aue, Staff Counsel at (916) 327-4440 or [maue@waterboards.ca.gov](mailto:maue@waterboards.ca.gov). For all other issues, please be sure to raise them in writing, with copies to all on the service list.

Sincerely,



Arthur G. Baggett, Jr.  
Board Member and Hearing Officer

Enclosures

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*California Environmental Protection Agency*



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PROPOSED LOWER YUBA RIVER ACCORD  
(2007 PETITION FOR MODIFICATION AND LONG-TERM TRANSFER PETITION)  
DECEMBER 5-6, 2007 HEARING

SERVICE LIST OF PARTICIPANTS  
(October 12, 2007)

**(PARTICIPANTS TO BE SERVED WITH WRITTEN TESTIMONY, EXHIBITS  
AND OTHER DOCUMENTS.)**

**(Note: The participants whose E-mail addresses are listed below agreed to accept electronic service, pursuant to the rules specified in the hearing notice.)**

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**LIST OF PARTICIPANTS MAKING POLICY STATEMENTS ONLY  
(DO NOT SERVE THE FOLLOWING PARTICIPANTS WITH WRITTEN TESTIMONY, EXHIBITS  
AND OTHER DOCUMENTS)**

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