



**DEPARTMENT OF FISH AND GAME
OFFICE OF THE GENERAL COUNSEL**

1416 Ninth Street
Sacramento, CA 95814
<http://www.dfg.ca.gov>
(916) 654-3821



December 20, 2005

Ms. Tam M. Doduc, Chair
State Water Resources Control Board
1001 I Street
Sacramento, California 95814

Re: NOTICE OF PETITION REQUESTING CHANGE IN THE EFFECTIVE
DATE OF THE LONG-TERM INSTREAM FLOW REQUIREMENTS
ESTABLISHED IN REVISED DECISION 1644 AFFECTING LOWER YUBA
RIVER

Dear Ms. Doduc:

Enclosed please find a Notice of Intent (Notice) to appear for the California Department of Fish and Game (CDFG) in the matter of the water right hearing regarding the January 2006 Yuba County Water Agency (YCWA) change petition.

As indicated in the enclosed Notice, CDFG does not intend to protest the petition or present a case-in-chief. CDFG does intend to call rebuttal witnesses only if necessary to clarify statements of other parties.

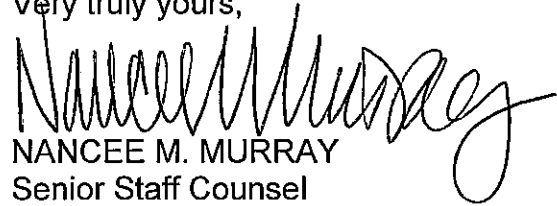
CDFG also intends to present a policy statement. CDFG Director Ryan Broddrick plans to present the policy statement for CDFG. Director Broddrick is available to present this policy statement on the morning of January 10, 2006. We would appreciate it if you could accommodate Director Broddrick's busy schedule by allotting time that morning for him to present CDFG's statement.

Lastly, as you may know, the YCWA change petition was previously determined by YCWA to be a necessary step in the Yuba Accord process and was anticipated by those parties supporting the Yuba Accord. CDFG supports the Yuba Accord reached in 2005 and this petition as a part of that process.

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Thank you in advance for your assistance in scheduling Director Brodrick's policy statement.

Very truly yours,



NANCEE M. MURRAY
Senior Staff Counsel

cc: Department of Fish and Game

L. Ryan Brodrick, Director

Sandra Morey, Regional Manager
John Nelson, Senior Fisheries Biologist
Sacramento Valley-Central Sierra Region

Jim White, Staff Environmental Scientist
Habitat Conservation Division

NOTICE OF INTENT TO APPEAR

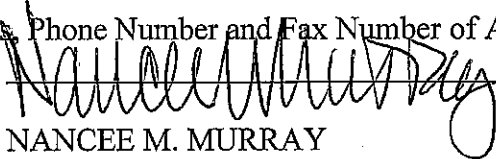
California Department of Fish and Game plans to participate in the water right hearing regarding:

JANUARY 2006 HEARING ON YCWA CHANGE PETITION
scheduled for
January 10, 2006, and continuing,
if necessary, on January 11, 12 and 13, 2006

- I/we wish to protest the petition.
- 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)
John Nelson	Rebuttal – Only if necessary re: fish and wildlife resources	N/A	Yes
Jim White	Rebuttal – Only if necessary re: Environmental Water Account	N/A	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: 12/20/05

Name (Print): NANCEE M. MURRAY

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