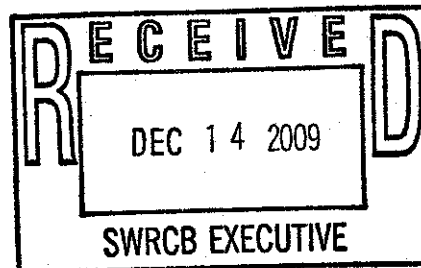


Alexis K. Galbraith
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December 14, 2009

State Water Resources Control Board
Attn: Jeanine Townsend
Clerk to the Board
P.O. Box 100
Sacramento, CA 95812-0100



Re: Comment Letter – January 5, 2010 Board Meeting: Draft Order Modifying Order
WR 2006-0006

Members of the Board:

Stockton East Water District ("SEWD") reviewed the State Water Resources Control Board's ("State Board") November 17, 2009, Draft Order modifying State Water Board Order 2006-006 and offers the following comments.

Paragraph 7 of the Draft Order directs DWR and USBR to study and evaluate whether compliance with the south Delta salinity objective can be achieved by increasing flows in the San Joaquin River. This study is to include an evaluation of the feasibility of increased releases from CVP facilities. DWR and USBR are to submit a study plan to the Deputy Director for Water Rights for the Deputy Director's review and approval. SEWD believes that any study of increasing flows on the San Joaquin River should include an evaluation of releases from CVP **AND** SWP facilities. In addition, SEWD would request that interested persons and parties be afforded the opportunity to review and comment on the development of these studies.

SEWD is also concerned with the Draft Order's delegation of authority to the Executive Director regarding the implementation of any measures while a revised compliance plan is developed and approved. This action provides the Executive Director with considerable power but does not provide for a process by which interested parties can appeal the actions taken. SEWD respectfully requests that the Draft Order be revised to include such a process.

Very truly yours,


ALEXIS K. GALBRAITH
Attorney-at-Law

cc: Mailing List (attached)

**Mailing List To Receive Draft Order Regarding
WATER RIGHT HEARING TO CONSIDER MODIFICATION OF
ORDER WR 2006-0006, JUNE 25, 29, AND 30, 2009
DEPARTMENT OF WATER RESOURCES AND
THE UNITED STATES BUREAU OF RECLAMATION**

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Draft Order Modifying
Order WR 2006-0006
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