



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Executive Office

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Arnold Schwarzenegger
Governor

JUN 19 2008

To: Enclosed Service List

WATER RIGHT HEARING REGARDING PROPOSED REVOCATION OF AUBURN DAM PROJECT PERMITS

On June 13, 2008, I received a letter from John Herrick, who represents South Delta Water Agency (South Delta), concerning South Delta's failure to appear at the pre-hearing conference on June 4, 2008. Mr. Herrick explained that he had asked San Joaquin County representatives to represent South Delta at the pre-hearing conference because he had a scheduling conflict, but there was a miscommunication and the San Joaquin County representatives did not state that they were representing South Delta. South Delta appears to have made a good faith effort to appear at the pre-hearing conference, and therefore I will allow South Delta to participate in the hearing, subject to the time limits and other procedural limitations set forth in my June 9, 2008, letter.

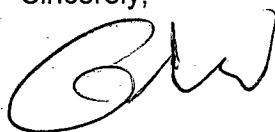
One of the procedural matters addressed in my June 9, 2008, letter was a reminder that ex parte communications concerning substantive or controversial procedural issues relevant to this hearing are prohibited. Notwithstanding this reminder, South Delta does not appear to have sent a copy of its June 13, 2008, letter to the service list. In addition, the State Water Resources Control Board has received letters from Assemblyman Ted Gaines and Gold Country Paddlers that were not sent to the service list. As required by Government Code section 11430.50, all of these letters will be made a part of the record in this proceeding. The letters from Assemblyman Ted Gaines and Gold Country Paddlers will be treated as policy statements, and posted on the web page for this hearing.

In order to ensure that South Delta's future participation in this hearing is consistent with all procedural requirements, South Delta should review the hearing notice and my June 9, 2008, letter to the parties. I also encourage South Delta to coordinate with the County of San Joaquin and San Joaquin County Flood Control and Water Conservation District (San Joaquin County) to avoid the presentation of duplicative testimony. Both South Delta and San Joaquin County propose to present testimony from the same witness, Dr. Mel Lytle, on similar topics. It may be possible to consolidate Dr. Lytle's testimony and present it during one case-in-chief instead of two.

JUN 19 2008

If you have any non-controversial, procedural questions, please contact Dana Heinrich at (916) 341-5188 or dheinrich@waterboards.ca.gov or Jean McCue at (916) 341-5351 or jmccue@waterboards.ca.gov.

Sincerely,



Gary Wolff, Ph.D.
Hearing Officer

cc: The Honorable Ted Gaines
The State Assembly
P.O. Box 942849
Sacramento, CA 94249-0004

Gold Country Paddlers
8623 Everglade Drive
Sacramento, CA 95826

**WATER RIGHT HEARING REGARDING PROPOSED REVOCATION OF
AUBURN DAM PROJECT PERMITS,
SCHEDULED TO COMMENCE ON JULY 21, 2008**

**REVISED SERVICE LIST
(June 18, 2008)**

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.)

Bureau of Reclamation, U.S. Dept of
the Interior
James E. Turner, Assistant Regional
Solicitor
2800 Cottage Way, Rm. E-1712
Sacramento, CA 95825
rsahlberg@mp.usbr.gov

Auburn Dam Council
c/o Michael R. Schaefer
7050 Walnut Avenue
Orangevale, CA 95662
Mikeret_99@yahoo.com

California Sportfishing Protection
Alliance
c/o Michael B. Jackson
P.O. Box 207
Quincy, CA 95971
mjatty@sbcglobal.net

Sacramento County/Sacramento
County Water Agency
c/o Sandra K. Dunn
Somach, Simmons & Dunn
813 Sixth Street, 3rd Floor
Sacramento, CA 95814
sdunn@somachlaw.com

San Luis & Delta-Mendota Water
Authority
c/o Jon D. Rubin
Diepenbrock Harrison
400 Capitol Mall, Suite 1800
Sacramento, CA 95814
JRubin@Diepenbrock.com

SWRCB/DWR Prosecution
c/o David Rose
State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100
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DRose@waterboards.ca.gov

American River Authority
c/o Christopher D. Williams, Esq.
P.O. Box 667
San Andreas, CA 95249
cwilliam@goldrush.com

Friends of the North Fork
c/o Michael Garabedian
7143 Gardenvine Avenue
Citrus Heights, CA 95621
mikeg@gvn.net

[Address through July 13, 2008]

Friends of the River, Save the American River
Association, and Defenders of Wildlife
c/o Ronald M. Stork
915 20th Street
Sacramento, CA 95811
rstork@friendsoftheriver.org

[Address effective July 14, 2008]

Friends of the River, Save the American River
Association, and Defenders of Wildlife
c/o Ronald M. Stork
1418 20th Street, Suite 100
Sacramento, CA 95811
rstork@friendsoftheriver.org

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.) (*Continued*)

South Delta Water Agency
c/o John Herrick
4255 Pacific Avenue, Suite 2
Stockton, CA 95207
Jherrlaw@aol.com

Westlands Water District
c/o Jon D. Rubin
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Stockton East Water District
c/o Karna E. Harrigfeld, Esq.
2291 W. March Lane, Suite B100
Stockton, CA 95207
kharrigfeld@herumcrabtree.com

County of San Joaquin and San Joaquin County
Flood Control and Water Conservation District
c/o Thomas J. Shephard, Sr.
Neumiller & Beardslee
P.O. Box 20
Stockton, CA 95201-3020
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dgillick@neumiller.com