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*DeeAnne M. Gillick*

October 2, 2012

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*Via E-Mail to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) and  
U.S. Mail to Jeanine Townsend, Clerk to the Board*

Chair Charlie Hoppin and Members of the State Water Board  
c/o Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
Cal/EPA Headquarters  
P.O. Box 100  
Sacramento, CA 95812-0100



Re: **COMMENT LETTER - 10/16/12 BOARD MEETING:  
DUNKEL CDO HEARING**

Dear Chair Hoppin and Members of the State Water Board:

On behalf of San Joaquin County and the San Joaquin County Flood Control and Water Conservation District (collectively "County"), we submit this letter in support of the State Water Board's Draft Order Declining to Issue Cease and Desist Order regarding the Dunkel property on Robert's Island within San Joaquin County.

The County continues to assert that the State Water Board lacks the authority to conduct a cease and desist order regarding the Dunkel's asserted riparian water right. However, the County supports the State Water Board's draft order that concludes that the Dunkel property enjoys a riparian water right. After years of unfounded and unnecessary State Water Board challenges to this legal water right diversion within the Delta, the County appreciates that this enforcement action is resolved. The County supports the adoption of the Draft Order by the State Water Board.

Very truly yours,

A handwritten signature in black ink that reads "DeeAnne M. Gillick".

DeeAnne M. Gillick  
Attorney at Law

DMG/ect

cc: David Wooten, County Counsel  
Brandon Nakagawa, Water Resources Coordinator  
Thomas J. Shephard, Sr.  
Hearing Service List