

DEPARTMENT OF WATER RESOURCES

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(916) 653-5791

STATE WATER RESOURCES
CONTROL BOARD



2009 MAY 29 PM 3: 27

May 29, 2009

Ms. Dorothy R. Rice, Executive Director
State Water Resources Control Board
1001 I Street
Sacramento, California 95814

DIV. OF WATER RIGHTS
SACRAMENTO

Application for Modification of Cease and Desist Order Under
Water Code Section 1832

Dear Ms. Rice,

The Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (Reclamation) submit this letter as an application to the State Water Resources Control Board requesting that it consider modifying the Cease and Desist Order issued to DWR and Reclamation pursuant to Order WR 2006-0006 (February 15, 2006). DWR and Reclamation request that the State Board issue a notice under Water Code Section 1832 to provide an opportunity for hearing regarding this application.

The Cease and Desist Order establishes conditions requiring DWR and Reclamation to implement measures by July 1, 2009 to obviate the threat of non-compliance of conditions of their water right permits in Revised Decision 1641 regarding the 0.7 mmhos/cm electrical conductivity objective (Condition A, Order WR 2006-0006). As indicated by DWR's quarterly status reports submitted to the State Board, since May 2007, the South Delta Improvements Program permanent operable gates will not be installed by July 1, 2009, to satisfy the Order. DWR will submit to the State Board the March-May Quarterly Report for the Cease and Desist Order which will provide information on the changes in schedule. Within the next 10 days, DWR will submit additional supporting information for this application.

If you have any questions or need additional information, please contact me at (916) 653-5613 or crothers@water.ca.gov.

Sincerely,

Handwritten signature of Jerry Johns in cursive script.

Jerry Johns
Deputy Director
Department of Water Resources

Handwritten signature of Ronald Milligan in cursive script.

Ronald Milligan
Operations Manager
U.S. Bureau of Reclamation

cc: See attached list

Charles R. Hoppin, Chair, State Water Resources Control Board
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