



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Executive Office
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Arnold Schwarzenegger
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DEC 3 1 2009

ELECTRONIC MAIL

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Dear Mr. Carter:

WATER RIGHT HEARING REGARDING PROPOSED CEASE AND DESIST ORDER
AGAINST MILLVIEW COUNTY WATER DISTRICT, THOMAS P. HILL, AND
STEVEN L. GOMES

By letter dated December 23, 2009, you requested reconsideration of my December 3, 2009 ruling regarding pre-hearing discovery in this proceeding. Your request is denied. Your letter did not provide any new information or argument that would justify reconsideration.

As stated in my earlier ruling, if after reviewing the Prosecution Team's exhibits and the State Water Resources Control Board's files, your clients conclude that discovery remains necessary, they may initiate discovery pursuant to Water Code section 1100 or Government Code sections 11450.10 and 11450.20. In your letter requesting reconsideration, you expressed concern that you will not have adequate time to conduct discovery after receiving the Prosecution Team's exhibits, and suggested that a continuance of the hearing may be required. I will address this concern, if necessary, if and when your clients initiate discovery after having reviewed the Prosecution Team's exhibits and the Board's files.

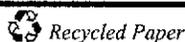
If you have any questions about this letter, please contact Dana Heinrich, Senior Staff Counsel, at (916) 341-5188.

Sincerely,

Arthur G. Baggett, Jr.
Hearing Officer

cc: See next page.

California Environmental Protection Agency



cc: (First Class Mail)
Tam M. Doduc
Hearing Officer
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State Water Resources Control Board
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