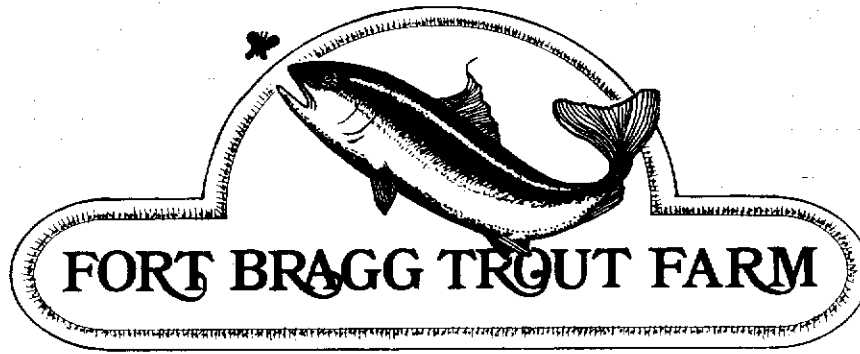


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3 August 2006

Kkaren Niiya or Eric Oppenheimer

There seems to be no provision to exclude or exempt safe diversions that do not consume water but merely temporarily divert it before its clean, unpolluted return. Or to protect vast wetlands and riparian habitat that grandfathered (well established) diversions create. Animals and plants do not abide by NMFS-DFG draft guidelines. Some situations are unique and should have an avenue for exemptions and variances that make sense.

Therefore, be sure and allow exemptions and special conditions when necessary. DFG, Water Quality Control Board, Water Rights and Stream bed diversion permits have all noted our unique situation, long standing for nearly 100 years, no negative on consumptive water use. But your blanket office type guidelines do not always make sense in the real world of nature.

Also stipulate that if your guidelines damage or end a family livelihood, financial restitution must be forthcoming.

Best regards,

A handwritten signature in black ink, appearing to read "Michael Domenici", written in a cursive style.

Michael Domenici