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KATHLEEN R. MAKEL

February 3, 2012

Via Electronic Mail

Sue Sims, Executive Director
California Water Commission
P.O. Box 942836
Sacramento, CA 94236

Re: Request for Continuance of Agenda Item #23 (Feb. 15, 2012 Meeting)

Dear Ms. Sims:

Taylor & Wiley represents Tsakopoulos Family Trust (Trust) in various land use matters. Item 23 on the Commission's February 15, 2012 agenda is the consideration of a resolution of necessity which would allow the Department of Water Resources (DWR) to conduct geotechnical testing on the Trust's property. On January 25, 2012, we submitted a request for certain public records which pertain to DWR's proposed geotechnical testing. Yesterday, we received the attached correspondence from DWR informing us that an additional 14 days are needed to gather the requested documents or otherwise respond to our request.

The Trust needs an opportunity to review these documents in order to better understand the project and to enable us to provide meaningful comments regarding the proposed resolution of necessity. Accordingly, we hereby request that this matter be continued to the Commission's next regularly scheduled meeting.

Thank you for your cooperation. Please feel free to call if you have any questions.

Very truly yours,

Kate Wheatley

Kate A. Wheatley

Attachment

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., *Governor*

DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

February 2, 2012

Kate Wheatley
TAYLOR & WILEY
2870 Gateway Oaks Dr., Ste. 200
Sacramento CA 95833

Re: Your California Public Records Act Request dated January 25, 2012

Dear Ms. Wheatley:

Your January 25, 2012 Public Records Act request was received by the Department and referred to this office for review and response.

You indicated in your correspondence that you are making a request pursuant to the California Public Records Act, Government Code sections 6250 *et seq*. DWR is obligated to provide a response to such requests within 10 days of its receipt pursuant to Government Code section 6253(c). This response, therefore, is timely.

DWR finds it necessary to invoke the provisions of section 6253(c) for up to an additional 14 days to respond to your request as to how, and to what extent, DWR may be able to provide you with responsive records. The extension of time is necessary because, in part, the records you seek, should they exist, are located at field facilities or other offices that are separate from this one as well as the need for consultation with another agency (see Government Code § 6253(c) (1) and (3)).

As your correspondence was received by DWR on January 25, 2012, the initial 10-day period concludes on February 4, 2012. Fourteen days thereafter, the date by which DWR will notify you as to whether records exist and how they will be provided, would be February 18, 2012.

Please note that every effort will be made to provide you with a response as quickly as possible.

Sincerely,

John Dunnigan
Senior Staff Counsel
Office of the Chief Counsel