State Water Resources Control Board



Division of Water Rights

1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300 P.O. Box 2000 ♦ Sacramento, California 95812-2000 Fax: 916.341.5400 ♦ www.waterrights.ca.gov



October 27, 2009

VIA ELECTRONIC MAIL

TO: Enclosed Mailing List

ORDER WR 2009-0060 APPROVING A CEASE AND DESIST ORDER AGAINST CALIFORNIA AMERICAN WATER COMPANY FOR UNAUTHORIZED DIVERSION FROM THE CARMEL RIVER IN MONTEREY COUNTY

Enclosed is Order WR 2009-0060 which was adopted by State Water Resources Control Board on October 20, 2009. A copy of the decision is posted at: http://www.swrcb.ca.gov/waterrights/board_decisions/adopted_orders/orders/wro2009.shtml

Any person wishing to submit a petition for reconsideration of the decision must file the petition within 30 days of the adoption of the decision. As described in California Code of Regulations, title 23, section 768, any interested person may file a petition for reconsideration upon any of the following causes:

- (a) Irregularity in the proceedings, or any ruling, or abuse of discretion, by which the person was prevented from having a fair hearing;
- (b) The decision or order is not supported by substantial evidence;
- (c) There is relevant evidence which, in the exercise of reasonable diligence, could not have been produced;
- (d) Error in law.

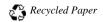
Petitions should be addressed to:

Paul Murphey
Hearings Unit
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Petitions for reconsideration may also be hand delivered to the following address:

Records Unit
Attention: Paul Murphey
Division of Water Rights
State Water Resources Control Board
Cal/EPA Headquarters
1001 I Street, 2nd Floor
Sacramento, CA 95814-2828

California Environmental Protection Agency



Couriers delivering petitions for reconsideration must check in with lobby security and have them contact the Division of Water Rights Records Unit, second floor. The Records Unit will receive and date-stamp the petitions.

If you have any questions regarding this letter, please contact Paul Murphey at (916) 341-5435 or pmurphey@waterboards.ca.gov.

Sincerely,

Paul Murphey Hearings Unit

Paul My

Enclosures

CALIFORNIA AMERICAN WATER CEASE AND DESIST ORDER SERVICE LIST

Service by Electronic Mail

California American Water Jon D. Rubin Diepenbrock Harrison 400 Capitol Mall, Suite 1800 Sacramento, CA 95814 (916) 492-5000 jrubin@diepenbrock.com State Water Resources Control Board Reed Sato Water Rights Prosecution Team 1001 I Street Sacramento, CA 95814 (916) 341-5889 rsato@waterboards.ca.gov

Public Trust Alliance
Michael Warburton
Resource Renewal Institute
Room 290, Building D
Fort Mason Center
San Francisco, CA 94123
Michael@rri.org

Sierra Club – Ventana Chapter Laurens Silver California Environmental Law Project P.O. Box 667 Mill Valley, CA 94942 (415) 383-7734 larrysilver@earthlink.net jgwill@dcn.davis.ca.us

Carmel River Steelhead Association Michael B. Jackson P.O. Box 207 Quincy, CA 95971 (530) 283-1007 miatty@sbcglobal.net Calif. Sportfishing Protection Alliance Michael B. Jackson P.O. Box 207 Quincy, CA 95971 (530) 283-1007 mjatty@sbcglobal.net

City of Seaside Russell M. McGlothlin Brownstein, Hyatt, Farber, Schreck 21 East Carrillo Street Santa Barbara, CA 93101 (805) 963-7000 RMcGlothlin@BHFS.com The Seaside Basin Watermaster Russell M. McGlothlin Brownstein, Hyatt, Farber, Schreck 21 East Carrillo Street Santa Barbara, CA 93101 (805) 963-7000 RMcGlothlin@BHFS.com

Monterey Peninsula Water

City of Sand City

Management District
David C. Laredo
606 Forest Avenue
Pacific Grove, CA 93950
(831) 646-1502
dave@laredolaw.net

James G. Heisinger, Jr. Heisinger, Buck & Morris P.O. Box 5427 Carmel, CA 93921 (831) 624-3891 jim@carmellaw.com

Pebble Beach Company
Thomas H. Jamison
Fenton & Keller
P.O. Box 791
Monterey, CA 93942-0791
(831) 373-1241
TJamison@FentonKeller.com

City of Monterey Fred Meurer, City Manager Colton Hall Monterey, CA 93940 (831) 646-3886 meurer@ci.monterey.ca.us

Monterey County Hospitality Association Bob McKenzie P.O. Box 223542 Carmel, CA 93922 (831) 626-8636 info@mcha.net bobmac@gwest.net

California Salmon and Steelhead Association Bob Baiocchi P.O. Box 1790 Graeagle, CA 96103 (530) 836-1115 rbaiocchi@gotsky.com

Planning and Conservation League Jonas Minton 1107 9th Street, Suite 360 Sacramento, CA 95814 (916) 719-4049 iminton@pcl.org National Marine Fisheries Service Christopher Keifer 501 W. Ocean Blvd., Suite 4470 Long Beach, CA 90802 (562) 950-4076 christopher.keifer@noaa.gov

Division of Ratepayer Advocates Max Gomberg, Lead Analyst 505 Van Ness Avenue San Francisco, CA 94102 (415) 703-2056 eau@cpuc.ca.gov City of Seaside c/o Rick Medina 440 Harcourt Avenue Seaside, CA 93955 (831) 899-6726 rmedina@ci.seaside.ca.us Pebble Beach Company Kevin O'Brien Downy Brand LLP 621 Capitol Mall, 18th Floor Sacramento, CA 95814 (916) 444-1000 kobrien@downeybrand.com Carmel River Steelhead Association Brian Leneve P.O. Box 1021 Carmel, CA 93921 (831) 624-8497 bjleneve@att.net

Service by Mail

City of Carmel-by-the-Sea Donald G. Freeman P.O. Box CC Carmel-by-the-Sea, CA 93921 (831) 624-5339 ext. 11