



State Water Resources Control Board



Linda S. Adams

*Secretary for
Environmental Protection*

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

Arnold Schwarzenegger

Governor

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,

A handwritten signature in black ink, appearing to read "Paul Murphey". The signature is written in a cursive style with a large initial "P" and "M".

Paul Murphey
Hearings Unit

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
mjatty@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@qwest.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
jminton@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