



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
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Arnold Schwarzenegger
Governor

NOV 07 2007

John Herrick
South Delta Water Agency
4255 Pacific Avenue, Suite 2
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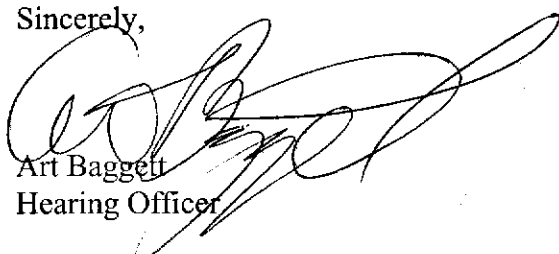
RE: HEARING FOR YUBA COUNTY WATER AGENCY'S PETITIONS FOR CHANGE
AND LONG-TERM TRANSFER

Dear Mr. Herrick:

On August 30, 2007, South Delta Water Agency (SDWA) submitted a letter to the State Water Resources Control Board (State Water Board) protesting Yuba County Water Agency's (YCWA) long-term transfer petition on grounds that the transfer would injure legal users of water, be contrary to law, and be against the public interest. By letter dated September 26, 2007, the State Water Board requested further information from SDWA. SDWA failed to respond to this letter. SDWA also did not file a timely Notice of Intent to Appear at the hearing. In a letter dated October 5, 2007, addressed to Andy Draper (MWH), SDWA stated that "...the SDWA does not plan on attending or participating in any potential hearing on the YCWA Petition for Long-Term Transfer of water." This letter was copied to the State Water Board, and further stated that the intent of the letter was to inform the State Water Board that SDWA did not intend to further participate in the hearing process.

Because SDWA failed to respond to our information request, failed to submit a Notice of Intent to Appear at the scheduled December 5, 2007, hearing, and because of SDWA's October 5, 2007, notification of non-participation, the State Water Board considers SDWA to have abandoned its protest to YCWA's petition and the protest is dismissed.

Sincerely,


Art Baggett
Hearing Officer

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California Environmental Protection Agency