



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5600
FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

SUPPLEMENT TO 6/22/06

MPWMD BOARD PACKET

Attached are copies of letters received between May 6, 2006 and June 12, 2006. These letters are also listed in the June 22, 2006 Board packet under item 24, Letters Received.

Author	Addressee	Date	Topic
Donna Ferraro	MPWMD	5/22/06	Donation to Boys & Girls Club of Monterey County in memory of Lou Haddad
Mark & JoAnn Donangelo	David A. Berger	5/22/06	Connection fees due for home sold in 2005 <i>May 26, 2006 reply from David Berger attached</i>
Dan Albert	David A. Berger	5/22/06	Request for Water Credits <i>May 31, 2006 reply from David Berger attached</i>
Nicolals Papadakis	David A. Berger	5/23/06	AMBAG 3 rd Annual Regional Water Forum
Bobbie Ehrenpreis	David A. Berger	6/4/06	Resolution of problem with water permit <i>June 7, 2006 letter to Bill Wojtkowski related to the water permit</i>
Victoria A. Whitney	David A. Berger	6/7/06	California-American Water Company (Cal-Am) and Monterey Peninsula Water Management District (District), Carmel River in Monterey County 262.0 (27-01) <i>June 13, 2006 reply from David Berger attached</i>

MAY 22 2006

MPWMD



Turning good kids into great ones.

Monterey Peninsula Water Management District
P.O. Box 85
Monterey, Ca 93942-0085

- Board of Directors**
 Danny Bakewell, Jr.
 Peter Blackstock
 William Brandwein
 Geoffrey Couch
 Julie Dalman
 Barbara J. Falkenberg
 Joyce Scampa Graham
 Kent Hansen
 Ed Holden
 Peggy Kelley
 Ann Marie McLeod
 Kevin McGraw
 Steve Metzger
 Roger E. Mills
 Marcia Modisette
 Patty Parker
 Cynthia Peck
 Patrick Ryan
 Brigitte Wasserman

Dear Staff and Board Members:

On behalf of the Board of Directors, staff and the members of the Boys & Girls Clubs of Monterey County, I want to thank you for your donation in memory of Lou Haddad. The family has been notified of your gift (no amount mentioned). We hope this gives the family some form of comfort in their time of need knowing that a difference has been made in the life of a child.

- Governors Council**
 Gini Auger
 Richard J. Borda
 Richard Briscoe
 Michael J. Chapman
 James E. Colton
 Frank 'Skip' Crist
 Herm Edwards
 Hon. Michael S. Fields
 Marcy Hyman
 Barbara Lee
 Janice Russo
 David N. Sullivan

These funds will be placed in our program support account so we may continue to provide educational and cultural programs to the youth of our Clubs, such as technology, science, health & life skills, arts and physical education to name a few.

- Donna Ferraro
 CEO/President
 Ron Johnson
 Vice President
 Operations

We realize that you have many choices of giving and appreciate your choice to support the children of the Peninsula through the Boys & Girls Club.

- Seaside Branch**
 1332 La Salle Avenue
 P.O. Box 97
 Seaside, CA 93955
 T (831) 394-5171
 F (831) 394-4898

We continue to make a difference in our member's lives. This is only made possible with the support of the community and donors such as you. Thank you for thinking of the children of Monterey County. Your support throughout the years has touched the lives of thousands of local children.

- Harden Youth Development Center**
 85 Maryal Drive
 P.O. Box 3860
 Salinas, CA 93912

The Boys & Girls Clubs of Monterey County are "Turning Good Kids Into Great Ones".

www.bgcmc.org

Sincerely,

Donna Ferraro
CEO/President



Mark & JoAnn Donangelo
22700 Picador Drive
Salinas, CA 93908

RECEIVED

MAY 25 2006

May 22, 2006

MPWMD

Monterey Peninsula Water Management District
Att: David Berger
P.O. BOX 85
Monterey, CA 93942

RE: APN: 007-401-008

Dear Mr. Berger:

In March of 2003, we applied for a permit for a private well for a home we were building at 3137 Bird Rock Road in Pebble Beach. We were issued the permit, built the home and had a final approval on May 5, 2005.

We sold this home on September 6, 2005 and were notified today by the new buyers regarding connection fees due in the amount of \$1,097.57. Their letter from your office refers to a previous notification to them in October about these fees.

We feel that we followed all of the rules of the MPWMD with regard to the permit and its fees. We would like to appeal to you that since the discrepancy in the fees were found so long after the permit was issued (19 months) and the final inspection was completed (five months) and since the home was sold with a clear title previous to the error being found, that they be waived due to department error.

We thank you for your attention in this matter and look forward to your decision.

Sincerely,

Mark & JoAnn Donangelo
831-484-6202

cc: Priority Investments
Att: Steve Mort



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May 26, 2006

Mark and JoAnn Donangelo
22700 Picador Drive
Salinas, CA 93908

Dear Mr. and Ms. Donangelo:

This will serve to acknowledge receipt of your letter of May 22, 2006 regarding payment of connection fees for a well permit issued to property you sold in 2005 located at 3137 Bird Rock Road in Pebble Beach.

I appreciate your bringing this matter to the District's attention. Because I'm not presently familiar with the subject matter you describe, I have referred your letter to our Water Demand Manager, Stephanie Pintar, for analysis and comment. You can expect that I will write you again in approximately two weeks with our response; or I will provide you an estimate of when I'll be able to do so if the substance of your letter requires additional time for response.

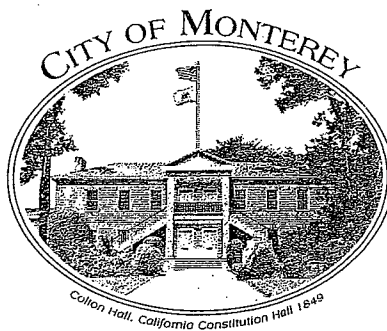
Again, thank you for writing to me on this subject.

Sincerely,

A handwritten signature in black ink, appearing to read "D.A. Berger", written over a horizontal line.

David A. Berger
General Manager

pc: Stephanie Pintar



RECEIVED

MAY 30 2006

MPWMD

May 22, 2006

Mayor:
DAN ALBERT

Councilmembers:
CHUCK DELLA SALA
LIBBY DOWNEY
JEFF HAFERMAN
CLYDE ROBERSON

City Manager:
FRED MEURER

Mr. David Berger, General Manager
Monterey Peninsula Water Mgmt District
P.O. Box 85
Monterey, CA 93942

Subject: City of Monterey Water Credits

Dear Mr. Berger:

The City of Monterey is submitting the attached request for water credits in the amount of 4.67 acres of water for your administrative approval. The basis for this request is the substantial water savings resulting from the City's installation of waterless urinals in seven locations throughout the City.

The City of Monterey requests a water credit of 4.67 acres of water based on documented water savings of 1,521,624,000 gallons of water. As discussed on February 24, 2006 in a meeting with you and your staff, we have compiled all relevant data supporting this request. As was agreed, the California-American Water Company supplied the data to us reaching as far back as 1996. In some cases, Cal-Am could not provide data for certain years, as we pointed out on the spreadsheets.

Your quick and positive consideration of this request will greatly enhance the quality of life for several families in our City. Once approved, the City plans to re-allocate the water credits to those residents who, for many years, have been on the waiting list for water.

If you need any further clarification, please let us know. We do hope that the additional information provided with this letter, in conjunction with our analysis submitted December 12, 2005, are a sufficient basis for your administrative decision.

Sincerely,

Dan Albert
Mayor

Enclosure

c: City Manager
Deputy PW Director Uslar
Community and Development Director
Senior Planner Rehrig



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May 31, 2006

~~TRANSMITTED BY FAX ON 6-2-2006.~~

Mr. Fred Meurer
City Manager
City of Monterey
Monterey, CA 93940

Dear Mr. Meurer:

This will serve to acknowledge Mayor Albert's May 22, 2006 letter, received in my office yesterday. Mayor Albert's letter transmitted water use documentation on certain City-owned facilities in which water-saving plumbing fixtures were installed for the purpose of permanently reducing consumption. It's my understanding that this documentation was submitted in support of the City's request that the District verify on-site water credits for those facilities.

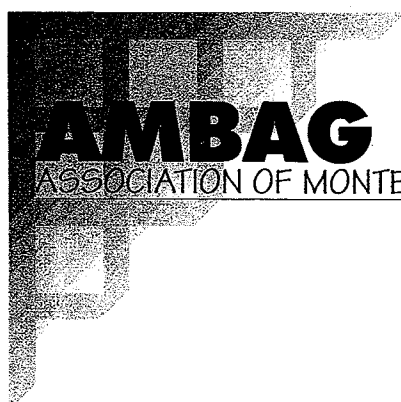
I've referred the City's documentation to our Water Demand Division staff for their analysis. You can expect that I will write you again in approximately two weeks with our response; or I will provide you with an estimate of when I'll be able to do so, if more time is needed to complete our analysis of the City's water savings documentation.

Please let me know if you have any questions in the interim.

Sincerely,

David A. Berger
General Manager

cc: Stephanie Pintar
Hans Uslar



AMBAG
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

RECEIVED

MAY 26 2006

MPWMD

May 23, 2006

Mr. David Berger
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, CA 93942

Dear Mr. Berger *David*

On behalf of the Board of Directors of the Association of Monterey Bay Area Governments and Water Forum Planning Committee, we wish to express our sincere gratitude for your support of the 3rd Annual Regional Water Forum, which was held on May 18, 2006, at the Monterey Beach Resort.

As you know, this year's conference, *Closing the Gap of Water and Growth*, focused on regional cooperation in addressing our tri-county area's water needs.

Our success in facilitating this forum would not have been possible without your sponsorship, again, thank you for your generous contribution!

Sincerely,

Nicolas Papadakis
Executive Director

Sotheby's

INTERNATIONAL REALTY

Barbara Ehrenpreis

Sotheby's International Realty, Inc.
200 Clocktower Place, Suite 1001D
Carmel, CA 93923
t 831.624.1861 c 831.915.8010 f 831.624.1863
barbara.ehrenpreis@sothebysrealty.com
monteraypeninsulasir.com

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June 4, 2006

JUN 05 2006

MPWMD

Mr. David Berger
Box 85
Monterey, CA 93940

Sent via fax 644-9560

Re: 812 Cyress Street, Monterey
Steve and Diane Kalsman, owners

Dear Mr. Berger:

I am writing to thank you for taking the time to call me on Friday afternoon regarding my clients' problems with a water permit. We are hoping that the Steve and Diane Kalsman, the sellers, can be free to give to their buyers an inspection from the Water Management District that indicates that this property is in compliance with the district's requirements this week. I do not believe the buyer of this property, or any buyer, would want to take title to a property over which there is a dispute. Since the problem now lies with the City and Water District over which water fund to debit, I hope this seller, who did not make the original mistake regarding this permit, is left free of this negotiation between the District and the City.

You mentioned on the phone that you had the buyers' telephone numbers. You do not have the buyers' numbers but the sellers' numbers. Feel free to call Steve Kalsman anytime. His cell is 521-5465. I did speak to him directly after our conversation on Friday to inform him of our progress. As you can imagine, he is very anxious to have this issue resolved so as to not antagonize the buyer of this property. I told the buyers' agent on Friday that we had to pay a fee to water management for some past permit irregularities but should be able to give them a water district inspection report this week.

Again, thank you very much for your attention to this matter. Please do keep me informed as to anything that transpires regarding this matter. As I have been trying to impress to the City and to your staff, time is of the essence in this matter so that we do not lose this buyer. The buyers will be signing their loan documents and title documents within a week or so and movers have been hired and moving plans have been made by



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COPY

June 7, 2006

Mr. Bill Wojtkowski, Community Development Director
City of Monterey
City Hall
Monterey, CA 93940

Subject: Water Permit Issuance for 812 Cypress Street, Monterey

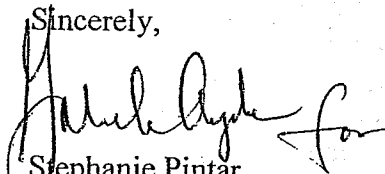
APN: 001-135-020

Dear Bill:

This letter is to inform you that the Water Management District issued Water Permit No. 23840 for 812 Cypress Street, Monterey on June 7, 2006. It also confirms that the District debited the City of Monterey's water allocation (Pre-Paralta) by 0.257 acre-feet. The Monthly Allocation Report will reflect this debit in the June 2006 report.

The issuance of Water Permit No. 23840 for 812 Cypress Street, Monterey is a final determination of the Water District's General Manager. Final determinations of the General Manager may be appealed to the District Board within twenty-one (21) days after any such determination pursuant to District Rule 70. For information about the appeal process, contact the District office at 658-5601.

Sincerely,


Stephanie Pinter
Water Demand Manager



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: 916.241.5400 ♦ www.waterrights.ca.gov

Arnold Schwarzenegger
Governor

RECEIVED

JUN 12 2006

MPWMD

In Reply Refer
to:334:KDM: 262.0 (27-01)

JUN 07 2006

California-American Water Company
c/o Stuart L. Somach
Somach, Simmons & Dunn
813 Sixth Street
Sacramento, CA 95814

David A. Berger
Monterey Peninsula
Water Management District
P.O. Box 85
Monterey, CA 93942-0085

Dear Messrs. Somach and Berger:

CALIFORNIA-AMERICAN WATER COMPANY (CAL-AM) AND MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT (DISTRICT), CARMEL RIVER IN MONTEREY COUNTY,
262.0 (27-01)

The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) has been monitoring compliance with Order WR 95-10 for 10 years. Order WR 95-10 requires Cal-Am to diligently develop and implement actions to terminate its unlawful diversions from the Carmel River. To date, neither Cal-Am nor the District has developed and implemented projects to reduce Carmel River diversions, other than temporary measures. The Division is not satisfied with progress in complying with the terms of the order. As you are aware, the Division has foregone annual monetary fines for illegal diversions from the Carmel River to provide opportunity to expend available resources on developing solutions. Absent substantial progress, however, the Division will evaluate whether it should proceed differently in this matter. Cal-Am and the District are requested to report back to the State Water Board by July 5, 2006 regarding progress in working together to reduce Carmel River diversions. There are a number of matters requiring your attention, described below.

Cal-Am Complaint

Cal-Am filed a complaint with the Division on November 3, 2005 regarding the District's non-use under Permits 20808 and 7130B (Applications 27614 and 11674B). The complaint is not accepted.

To be acceptable, a complaint must assert alleged harm associated with either an unauthorized or unreasonable water diversion and use or adverse impacts to public trust resources. Since the District does not divert water pursuant to these rights, Cal-Am has not demonstrated that has occurred. (Cal. Code of Regs., tit. 23, (CCR), § 820.) Moreover, pursuant to the March 30, 2006 Agreement between Cal-Am and the District, Cal-Am has agreed to withdraw the complaint.

California Environmental Protection Agency

Stuart Somach
David A. Berger

- 2 -

San Clemente Dam Water Right

The Division has no record of a water right for storage at San Clemente Dam. It is our understanding that storage at this facility is being restricted pursuant to requirements of the Division of Safety of Dams. If, however, any unauthorized storage is occurring or will occur in the future as a result of dam buttressing and subsequent refill, the unauthorized storage may be subject to Administrative Civil Liability fines pursuant to Water Code section 1052.

District Permits 7130B and 20808

A. Due Diligence

Although not a suitable subject for a complaint, Cal-Am raises the issue of whether the District is diligently pursuing its water rights. Permit 7130 was issued on July 7, 1948, and Permit 7130B was subsequently issued when the right was split on May 2, 1984. There has been no water diversion and use under Permit 7130B and it appears that the right should be revoked for non-use. The Division intends to issue a Notice of Proposed Revocation for Permit 7130B.

Permit 20808 was issued pursuant to Decision 1632 on July 6, 1995. There has been no water use under this permit in 10 years. A showing of due diligence will be required in any proceeding on time extension for this permit.

B. Jointly Held Versus Separately Held Water Rights

In accordance with the court order settling litigation regarding Order WR 95-10 and Decision 1632, neither Cal-Am nor the District can divert water pursuant to Decision 1632 or Permit 7130B until the State Water Board conducts a public hearing to: (1) review any changes in the project as permitted under Decision 1632 and Permit 7130B, (2) review the information in the supplemental Environmental Impact Report, (3) review whether public trust values are adequately protected, and (4) determine whether the permits should be modified.

The hearing may also consider whether any permits for diversion from the Carmel River should be jointly held by the District and Cal-Am. At issue will be whether the Division should split the water right and (1) assign Permit 20808A to Cal-Am to cover a portion of its illegal diversions during periods when adequate flows are available to satisfy the National Marine Fisheries Service (NMFS) flow requirements for the Carmel River, and (2) assign Permit 20808B to the District for future growth.

Pursuant to the March 30, 2006 Agreement, Cal-Am and the District will jointly hold the water rights for only the Phase I Aquifer Storage and Recovery Project.

Stuart Somach
David A. Berger

- 3 -

C. Time Extension Required

Permits 7130B and 20808 require that construction be completed by December 31, 2005. The Division's February 27, 2006 letter advised the District that the permits cannot be maintained without a valid time extension. Any time extension request must show cause for further extension pursuant to CCR section 844.

D. Change Petitions for Permits 7130B and 20808

2002 Petitions Overview

The District filed petitions dated April 19, 2002 to change Permits 7130B and 20808 to initiate a direct diversion project to divert 7,909 acre-feet per annum (afa) at San Clemente Dam.

Permit 7130B authorizes storage at New Los Padres Reservoir, with water rediverted at San Clemente Dam and Cal-Am's downstream wells from October 1 of each year to May 31 of the succeeding year. The permit does not authorize direct diversion. The District petitions to allow direct diversion at San Clemente Dam.

Permit 20808 authorizes storage in New Los Padres Reservoir and direct diversion from November 1 of each year to June 30 of the following year at Cal-Am's wells downstream of San Clemente Dam. The District petitioned to add direct diversion at San Clemente Dam.

The District requested that the Division suspend 31 of the 53 existing permit conditions of Permits 7130B and 20808 in order to implement the direct diversion project, including the following requirements of each permit:

- Maintain specified instream flows for steelhead.
- Install and maintain stream gages to measure the required instream flows.
- Limit surface diversions from San Clemente Dam to the Cal-Am filter plant.
- Mitigation measures related to reservoir construction and operation.
- Construction shall be completed by December 31, 2005.
- Prior to construction, obtain permits from the Department of Fish and Game, Regional Water Quality Control Board and Division of Safety of Dams.
- Provide documentation that the District has committed adequate long-term financial resources to fund all mitigation measures identified in the permit.
- Mitigate for impacts to cultural resources.
- Modify the permit condition stating that the District shall not divert water unless and until Cal-Am has obtained an alternate supply of water for its illegal diversions.

Stuart Somach
David A. Berger

- 4 -

Protests

The Division accepted the following protests: National Marine Fisheries Service (NMFS), Department of Fish and Game, Carmel River Steelhead Association, Homestead Homeowners Association, Quail Lodge, Roy Kaufman, Clint and Margaret Eastwood Trust, JEM Partners, Rancho Cañada, Carmel Valley Ranch, Edwin Lee and Cal-Am. The protests have not been resolved.

Water Availability Analysis for Petitions

The Division requested that the District submit a water availability analysis that takes into account the flows recommended by NMFS in its 2002 report on fishery requirements for the Carmel River. The District's November 17, 2003 analysis used NMFS fishery bypass requirements for the reach between river mile 5.5 and the lagoon.

The diversion period analyzed is November 1 of each year to June 30 of the succeeding year. The District's analysis assumes that Cal-Am diverts no more than 3,376 afa and non Cal-Am annual diversions from the Carmel River were no more than 2,936 afa. The District utilized the 2002 well reports for non-Cal-Am pumpers, adjusted to reflect Table 13 reservations. The District did not, however, include the Cal-Am Table 13 diversions in the analysis. Cal-Am has senior water rights to the District for its Table 13 diversions. Accordingly, this is an error in the analysis and over-reports water available for diversion under the District's permits by 2,964 afa.

The analysis reduces Cal-Am's recognized water rights by 1,925 afa. Order WR 95-10 recognized 2,179 afa of storage in Los Padres Reservoir under License 11866 (the licensed quantity was reduced to reflect siltation). The District's analysis factors in ongoing siltation and assumes that the reservoir capacity was initially 1,569 afa but will ultimately be reduced to 254 afa over time. Since Cal-Am could take action to restore lost reservoir capacity, the analysis should assume that Cal-Am at least maintains the existing capacity. This element of the analysis is unacceptable.

The District estimated that on a median annual basis 6,734 afa of excess flow is available. During dry years, approximately 1,712 af would be available. During wet years, approximately 11,297 af would be available. The median monthly flows are: November - 18 af; December - 168 af; January - 643 af; February - 1,440 af; March - 2,087 af; April - 874 af; May - 0 af; and June - 323 af.

Factoring in Cal-Am's existing diversion facilities and water treatment capacity limits, the District's analysis identifies the maximum quantity of excess flows that could be diverted in the lower reach of the Carmel Valley alluvial aquifer during the November 1 through June 30 period as approximately 4,020 af (242 days x 16.61 afd = 4,020 af).

Stuart Somach
David A. Berger

- 5 -

The District's water availability analysis is not accepted for the reasons listed above. Moreover, the analysis does not support approval of the petitions to directly divert 42 cfs, with a maximum annual limit of 7,909 af. The petitions may be denied if the District is unable to document that there is sufficient water available to serve them. A revised water availability analysis should be submitted to the Division within 60 days of the date of this letter. The analysis is requested pursuant to Water Code section 1701.3. Failure to submit the requested analysis may result in petition cancellation pursuant to Water Code section 1701.4.

CEQA

The District has not completed a CEQA document for the petitions. The District is requested to submit a work plan for completion of the CEQA document within 60 days of the date of this letter.

2003 Petitions Overview

The District filed petitions dated September 12, 2003 to change Permits 7130B and 20808 to divert Carmel River water to offstream storage in the Seaside groundwater basin. The project is designed in phases. During the first phase, 2,022 afa would be diverted from December 1 of each year to May 31 of the succeeding year. In phase two 3,234 afa would be diverted, and during phase three 7,300 afa would be diverted.

The petition was noticed April 15, 2005. The Division accepted protests filed by DFG and NMFS. Protest resolution is ongoing.

CEQA

The District has circulated a draft Environmental Impact Report for the first phase of the project. The District has not withdrawn its petitions for phases two and three of the project. Therefore, the Division requests that the District submit a workplan listing the dates for completion of any studies required for the CEQA document for the subsequent project phases, the date of completion of the Initial Study and the date of completion of the draft and final CEQA document within 60 days of the date of this letter. The District should also provide a water availability analysis for the petitions at the same time.

Cal-Am Applications 30215A, 30215B, 30644 and 30715

Cal-Am filed four applications to divert water from the Carmel River. Applications 30215A and 30215B, combined, request authorization to directly divert 46.71 cfs. Application 30644 requests authorization to divert 21 cfs and collect 24,800 afa to storage. Application 30715 requests authorization to directly divert 16.1 cfs.

Stuart Somach
David A. Berger

- 6 -

A. Conflict with Declaration of Fully Appropriated Streams

The applications, except Application 30215A, conflict with the Declaration of Fully Appropriated Streams (Declaration) listing. By letter dated December 17, 1999, Cal-Am requested that the State Water Board lift the declaration that the Carmel River is fully appropriated in order to process Cal-Am's applications. The Division's January 21, 2000 response accepted the December 17 letter as a petition for modification of the Declaration and agreed to hold the matter in abeyance as requested by Cal-Am. Cal-Am was informed at that time that all petitions to modify the Declaration must be accompanied by the information specified in CCR section 871. The Division also advised Cal-Am that it would be expected to furnish information to address section 871 prior to activating the petition. The practical effect of this action was that Cal-Am was not required to amend its applications to conform them to the limited four-month season of availability listed in the Declaration.

Cal-Am is requested to: (a) submit the information required by section 871 within the next 60 days, or (b) revise the applications to conform to the Declaration. This information is requested pursuant to Water Code section 1275. Applications 30215B, 30644 and 30715 may be cancelled without further notification for failure to respond or if the Division is unable to find that cause exists for revision of the Declaration.

B. Memorandum of Understanding (MOU)

Cal-Am must demonstrate the availability of unappropriated water for its applications. Cal-Am has entered into an MOU with the Division for preparation of the water availability analysis and the CEQA document. Cal-Am must proceed in a timely manner in pursuing its filings in accordance with an approved work plan pursuant to the MOU.

If Cal-Am is unable to demonstrate the availability of unappropriated water for its filings, the applications may be cancelled. Since much of the water that Cal-Am seeks to appropriate is currently assigned to the District's permits, Cal-Am and the District should cooperatively address the outstanding issues.

C. Due Diligence Required

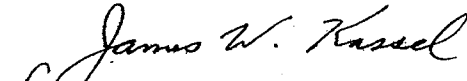
All applicants must exercise due diligence in pursuing their applications. If Cal-Am is unable or unwilling to pursue its filings, the applications will be cancelled for lack of due diligence.

Stuart Somach
David A. Berger

- 7 -

Katherine Mrowka is the senior staff person presently assigned to this matter. Ms. Mrowka can be contacted at (916) 341-5363.

Sincerely,


for Victoria A. Whitney
Division Chief



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

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FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

June 12, 2006

Victoria A. Whitney, Chief
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Subject: SWRCB Order 95-10/Carmel River Diversions (334:KDM: 262.0 (27-01))

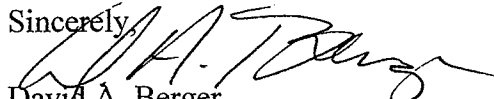
Dear Ms. Whitney:

This will serve to acknowledge receipt of your June 7, 2006 letter to Stuart Somach and me regarding various pending matters related to Carmel River water diversion rights and compliance with SWRCB Order 95-10.

We share your concern regarding the need for further progress on permanent measures to reduce Carmel River diversions, such as the Aquifer Storage and Recovery project the District and Cal-Am are actively pursuing. Due to the complex and numerous technical issues it raises, I have referred your letter to appropriate District staff and legal counsel for detailed analysis and response. In addition, my assistant has contacted your office to schedule a meeting with you and your staff in the near future to clarify the various actions requested in the letter, in order that we might gain a better understanding of their affects. I anticipate providing you with a more definitive response to your letter shortly after that meeting.

Again, thank you for writing to me on this subject.

Sincerely,


David A. Berger
General Manager

pc: MPWMD Board of Directors
Andy Bell
David C. Laredo
Steve Leonard, California American Water