

LATHAM & WATKINS LLP

January 27, 2009

BY FACSIMILE & US MAIL

Dr. Richard Wright
Chairman
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA. 92123-4340

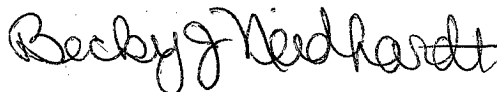
Re: February 11, 2009 San Diego Regional Board Meeting, Item 6 - Poseidon Resources Corporation, Proposed Carlsbad Desalination Project (Order No. R9-2006-0065, NPDES No. CA0109223)

Dear Chairman Wright:

In regards to the Declaration of Peter M. MacLaggan delivered to your office yesterday, a three page document was erroneously attached to Exhibit 16 that is not relevant to this matter. Please remove the three page document and destroy. Therefore Exhibit 16 consists of one page only.

I apologize for any confusion this may have caused.

Respectfully submitted,



Becky J. Neidhardt
Temporary Secretary to Christopher W. Garrett
of LATHAM & WATKINS LLP

cc: (via facsimile & U.S. Mail)
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Supporting Document No. 41

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