



Winston H. Hickox
Secretary for
Environmental
Protection

State Water Resources Control Board

Executive Office

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Gray Davis
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MAR 19 2003

Barbara A. Katz, Esq.
Office of Chief Counsel
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95814

Dear Ms. Katz:

POSTPONEMENT OF HEARING ON PROPOSED AMENDMENT OF LICENSE 5118 OF MASONITE CORPORATION

This letter responds to your letter on behalf of the Division of Water Rights Enforcement Team, dated March 17, 2003, requesting a postponement of the hearing scheduled for April 29, 2003. The hearing notice specifies that the first hearing papers required to be filed are due March 27, 2003, and the exhibits are due on April 10, 2003. You state that Masonite Corporation, which holds water right License 5118, has entered into an agreement to sell property, including License 5118, to Mr. Charles A. Sawyer. Escrow is expected to close on or about March 31, 2003. The Enforcement Team and Mr. Sawyer have reached a tentative agreement regarding the proposed amendments of License 5118, and they expect to formally settle the enforcement case after the close of escrow.

You are requesting that I grant a postponement of the hearing to allow the settlement to go forward, and to avoid the immediate need to prepare documents for the hearing. As you point out, if a settlement eliminates the need for a hearing, the effort to prepare hearing documents would be unnecessary. In the spirit of encouraging settlement, the hearing and the associated filing dates are postponed. I will set new filing dates and a new hearing date if, after March 31, 2003, the matter has not been settled. If the matter is settled, I will cancel the hearing.

If you have any questions about this letter, you may contact the hearing team attorney, Barbara Leidigh, Staff Counsel IV, at (916) 341-5190.

Sincerely,

Gary M. Carlton
Hearing Officer and Board Member

Attachment

cc: [Masonite Corporation] 03-18-03 list

bc: Harry M. Schueller, EXEC
Maureen Marche, EXEC (via email)
Ed Anton, DWR
Vicky Whitney, DWR
Lewis Moeller, DWR
Jean McCue, DWR
John O'Hagan, DWR
Barbara Leidigh, OCC
Debbie Matulis, OCC

BJLeidigh/mkschmidgall
03-18-03

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California Environmental Protection Agency

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Mr. Charles Sawyer
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