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PADRE DAM
Municipal Water District

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Steven Herrera, Chief
Water Right Permitting Section
Division of Water Rights
State Water Resources Control Board
1001 I Street, 14th Floor
Sacramento, California 95812-2000

Dear Mr. Herrera:

SUBJECT: WASTEWATER PETITION XWW003164 FOR PADRE DAM MUNICIPAL WATER DISTRICT - SYCAMORE CREEK TRIBUTARY TO SAN DIEGO RIVER IN SAN DIEGO COUNTY

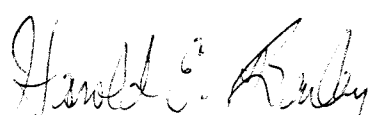
Thank you for your letter dated May 12, 2004, regarding our petition. The object of our petition was to establish a right to reclaimed water Padre Dam Municipal Water District is discharging to Sycamore Creek. Because the District produces the water, it is interested in maintaining a right to control the use of the water at a downstream location.

We have concluded that there is not a legal or procedural way to establish the right outside of declaring an intent to divert a specific flow at a specific location downstream of the discharge point. Because we have no specific current needs, demands, or plans for such a diversion, we are not able to establish the diversion.

Therefore, we are abandoning the referenced petition.

We recommend that your agency explore ways for recycled water producers to establish a right for water discharged to a watershed.

Sincerely,



Harold E. Bailey, Ph.D., P.E.
Director of Operations and Water Quality

cc: Frank Kowalski, Operations Superintendent
Peggy Strand, Best Best and Krieger

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