

*Harry L. Noland
(1904-1991)*

*Paul M. Hamerly
(1920-2000)*

Myron E. Etienne, Jr.

James D. Schwefel, Jr.

Stephen W. Pearson

Lloyd W. Lowrey, Jr.

Anne Secker

Randy Meyenberg

Michael Masuda

Christine Gianascol Kemp

Jo Marie Ometer

Terrence R. O'Connor

Dale E. Grindrod

Lisa K. Omori

Leslie E. Finnegan

Timothy J. Baldwin

Charles Des Roches

Of Counsel

Peter T. Hoss

Martin J. May

January 18, 2010

VIA E-MAIL

Ms. Henrietta Stern
Monterey Peninsula Water Management District
P. O. Box 85
Monterey, CA 93942-0085

Re: Hartnett WDS 20090102HAR / Jan. 28, 2010 Urgency Ordinance

Dear Henrietta:

This is a follow up to the voicemail message I left for you today.

We have just learned that the MPWMD is taking up consideration of an Urgency Ordinance to suspend WDS permits at their Jan 28, 2010 meeting which action would include suspending all new applications for Water Distribution System permits and all processing of existing applications.

I cannot tell you how distressed I am over the possibility of suspending the processing of existing applications, as far as the Hartnett project is concerned.

As you know, it has been over a year since we have been pressing for a WDS permit for the Hartnett project. The application has been deemed complete, the District approved the hydrogeological report and the District approved a rough draft of the WDS permit. Mr. Fuerst also indicated in a recent letter that the District believes there is adequate water supply for the proposed uses and that the resource system and neighboring wells would not be adversely affected by the creation of the Hartnett WDS.

As you know, the well is completed, pumping and ready to go. The only thing left to do at this time is to go forward with the application with the County, which we are in the process of doing.

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I am imploring the District to not make such a broad suspension as is presently being considered. I can understand, perhaps, all new applications; however, if there are existing applications which have absolutely no bearing, burden or affect whatsoever on adjoining properties, such as is the case with the Hartnett project, then there is no reason to suspend the process.

It would be different if our well had any impact of any nature or kind on existing water distribution systems, but it definitely does not. There is no logical reason whatsoever to suspend the processing of the Hartnett application, and I would appreciate your immediate response to this email.

Please do whatever is necessary so that this does not happen to someone who has been pushing the Water Management District for their permit, as indicated above, for over a year.

Thank you for your past courtesies in connection with this matter. I hope to hear from you at your earliest convenience regarding this extremely important matter.

Sincerely,

NOLAND, HAMERLY, ETIENNE & HOSS
A Professional Corporation



Myron E. Etienne, Jr.

MEE:ng

cc: Darby Fuerst, District General Manager
David Laredo, District Counsel
Dave Potter, District Board Member
Stephen Hartnett
Edward Bennett