



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

DEC 11 2012

In Reply Refer to:
BRC:A026470

Eugene J. M. McFadden
16000 Powerhouse Rd.
Potter Valley, CA 95469

Dear Mr. McFadden:

DRAFT CEASE AND DESIST ORDER DATED OCTOBER 22, 2012 FOR FAILURE TO FILE 2011 ANNUAL USE REPORT UNDER LICENSE 12360 (APPLICATION A026470)

On October 22, 2012, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) provided legal notice of the intent to proceed with formal enforcement for failure to file the 2011 annual use report under the subject right. You had 20 days from receipt of the draft Cease and Desist Order (CDO) to submit your 2011 annual use records through our online reporting system or face imposition of a \$1,000 per day liability.

As of the date of this letter, the Division has received a 2011 annual use report through our online reporting system for the subject right. Since you have complied with the draft CDO's reporting requirement, no further enforcement action will be taken on the October 22, 2012 CDO.

If you have any questions, please contact the Division at (916) 323-9393.

Sincerely,

A handwritten signature in blue ink that reads "James W. Kassel".

James W. Kassel, Assistant Deputy Director
Division of Water Rights