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*Exempt from Filing Fees per
Government Code Section 6103*

Attorney for Defendant
City of Sand City

**SUPERIOR COURT OF THE STATE OF CALIFORNIA,
COUNTY OF MONTEREY**

Case No.: M 66343

CALIFORNIA-AMERICAN WATER,

Plaintiff,

:vs.

CITY OF SEASIDE, et al.

Defendants.

**NOTICE OF CITY OF SAND CITY'S
NON-OPPOSITION TO SEASIDE BASIN
WATERMASTER'S MOTION TO
AMEND AND RESTATE THE DECISION**

Date: December 12, 2008

Time: 1:30 p.m.

Dept: 16

MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT,

Intervenor.

MONTEREY COUNTY WATER
RESOURCES AGENCY,

Intervenor.

AND RELATED CROSS-ACTIONS.

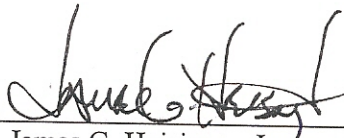
TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

CITY OF SAND CITY has reviewed the Motion filed by the City of Seaside on behalf of the Seaside Basin Watermaster on or about November 15, 2008. The Motion to Amend and Restate the Decision in the above-captioned matter seeks to remove the three-year limitation upon the conversion of

1 Alternative Production Allowance ("APA") to Standard Production Allowance {"SPA"}, and instead
2 allow conversion of APA to SPA in perpetuity, provided that once converted, the new SPA could not be
3 returned to APA. The City of Sand City does not oppose the granting of this Motion, and hereby files this
4 Notice of Non-Opposition.

5 Dated: November 26, 2008.

HEISINGER, BUCK & MORRIS

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9 By: 
10 James G. Heisinger, Jr.
11 Attorney for Defendant, City of Sand City
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PROOF OF SERVICE

California American Water v. City of Seaside, et al.
Monterey County Superior Court Case No. M 66343

I, the undersigned, declare:

I am employed in the City of Carmel, County of Monterey, California; I am over the age of eighteen years and not a party to the within action. My business address is Post Office Box 5427, Carmel, California 93921.

On November 26, 2008, I served, in the manner indicated below, the within:

NOTICE OF CITY OF SAND CITY'S NON-OPPOSITION TO SEASIDE BASIN
WATERMASTER'S MOTION TO AMEND AND RESTATE THE DECISION on the interested parties in said action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

SEE ATTACHED MAILING LIST

 X (By X REGULAR EXPRESS MAIL) I caused such envelopes with postage thereon fully prepaid to be placed in the U.S. mail at Carmel, California. I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

 (By FACSIMILE) I caused such copies to be sent via facsimile transmission to the person(s) and/or place(s) of business at the fax numbers listed on the attached mailing list. The facsimile machine used complies with California Rules of Court, Rule 2003(3), and no error was reported by the machine.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 26, 2008, at Carmel, California.


Susan L. Sory

SERVICE LIST

California American Water v. City of Seaside, et al. - Case No. M66343

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CITY OF SEASIDE:

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