Received April 19, 2012 Commission on State Mandates

## BURHENN & GEST LLP

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April 19, 2012

Sent Via E-File

Ms. Heather Halsey Executive Director Commission on State Mandates 980 Ninth St., Suite 300 Sacramento, CA 95814

Re: *Santa Ana Region Water Permit – Riverside County*, 10-TC-07, California Regional Water Quality Control Board, Santa Ana region, Order No. R8-2010-0033, Effective January 29, 2010

Dear Ms. Halsey:

This office represents the Riverside County Flood Control & Water Conservation District, the County of Riverside, and the Cities of Beaumont, Corona, Hemet, Lake Elsinore, Moreno Valley, Perris and San Jacinto, Claimants in the above-referenced Test Claim. I am writing on behalf of the Claimants to respectfully request that this Test Claim be placed on inactive status.

This request is being made due to the pendency of appeals regarding test claims filed with respect to the Los Angeles County and San Diego County municipal stormwater permits. Claimants believe that these appeals will clarify potentially controlling legal issues, making further briefing at this time on the Test Claim inadvisable and a waste of resources. Claimants have discussed this request with counsel for the Water Boards, David Rice, and Mr. Rice has no objection.

It is our understanding that inactive status preserves the filing date of the Test Claim for consideration by the Commission, and that once placed back on active status, any further briefing and consideration of the Test Claim would proceed on schedule. BURHENN & GEST LLP

Received April 19, 2012 Commission on State Mandates

Ms. Heather Halsey April 19, 2012 Page 2

Claimants therefore respectfully request that you grant this request for the abovereferenced Test Claim to be placed on inactive status, pending further instructions from the Claimants. Thank you in advance for your consideration of this request.

Very truly yours,

### **ORIGINAL SIGNED**

David W. Burhenn

cc: Mailing List via E-File

## COMMISSION ON STATE MANDATES

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#### **DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Solano and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On April 27, 2012, I served the:

#### **Claimant Request for Inactive Status**

Santa Ana Region Water Permit – Riverside County, 10-TC-07 California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, effective January 29, 2010 Riverside County Flood Control & Water Conservation District, County of Riverside, Cities of Beaumont, Corona, Hemet, Lake Elsinore, Moreno Valley, Perris and San Jacinto, Co-Claimants

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on April 27, 2012 at Sacramento, California.

Heidi J. Palchik

# Commission on State Mandates

Original List Date:	2/14/2011	
Last Updated:	2/28/2012	
List Print Date:	04/26/2012	Mailing List
Claim Number:	10-TC-07	
Issue:	Santa Ana Region Water Permit - Riverside Cou	unty

#### TO ALL PARTIES AND INTERESTED PARTIES:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

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