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January 27, 2009

## BY FACSIMILE & US MAIL

Dr. Richard Wright  
Chairman  
San Diego Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA. 92123-4340

File No. 036182-0005

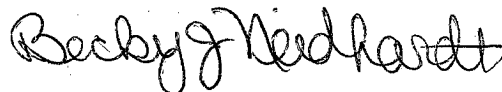
Re: February 11, 2009 San Diego Regional Board Meeting, Item 6 - Poseidon Resources Corporation, Proposed Carlsbad Desalination Project (Order No. R9-2006-0065, NPDES No. CA0109223)

Dear Chairman Wright:

In regards to the Declaration of Peter M. MacLaggan delivered to your office yesterday, a three page document was erroneously attached to Exhibit 16 that is not relevant to this matter. Please remove the three page document and destroy. Therefore Exhibit 16 consists of one page only.

I apologize for any confusion this may have caused.

Respectfully submitted,



Becky J. Neidhardt  
Temporary Secretary to Christopher W. Garrett  
of LATHAM & WATKINS LLP

cc: (via facsimile & U.S. Mail)  
Peter MacLaggan  
Catherine George Hagen, Esq.