



November 30, 2023

Michael Nobles  
District Ranger  
San Bernardino National Forest  
602 S. Tippecanoe Ave.  
San Bernardino, CA 92408

Dear Michael,

I am writing in response to your letter dated November 20, 2023 (Letter) to BlueTriton Brands, Inc. (BTB), which BTB received on November 27, 2023. Per your request, we have attached as Exhibit A to this letter BTB's full plan for compliance with California State Water Resources Control Board (SWRCB) Order WR 2023-0042 (Order).

For purposes of completeness, we note that BTB previously delivered two separate letters to the U.S. Forest Service (USFS) outlining BTB's preliminary plans for compliance with the Order. These preliminary plans were set forth in BTB's letter to the USFS dated October 12, 2023, and BTB's letter to the SWRCB dated October 27, 2023 (copy delivered to the USFS).

In addition, I will be the primary point of contact for BTB on this matter going forward. Please direct all future correspondence on this matter to my attention at the address below.

We look forward to continuing our productive relationship with the USFS. Please let us know if you have any questions.

Very truly yours,

Louis W. Mixon, III  
Senior Natural Resource Manager, BlueTriton Brands, Inc.

cc: Dave Anderson  
Hih Song Kim, Esq.  
Brendan O'Rourke  
Tam Pham  
Christopher W. Hasbrouck, Esq.

## EXHIBIT A

### FULL COMPLIANCE PLAN

1. General Compliance. As noted previously, BTB will comply with the Order by closing the valves at Boreholes 1, 1A, 7, 7A, 7B, 7C, and 8, and turning out Tunnels 2 and 3, except to the extent that these Spring Sources may be used to deliver water to the San Manuel Band of Mission Indians (Tribe).
2. Changes to Operations. The Tribe has informed BTB that their current monthly needs for water from the Arrowhead Spring Sources are estimated to be equal to the approximate output from Borehole 8 and Tunnels 2 and 3. Accordingly, prior to November 1, 2023, BTB closed the valves at Boreholes 1, 1A, 7, 7A, 7B, and 7C. No water is being collected at (or transported from) those Boreholes at this time. Borehole 8 and Tunnels 2 and 3 continue to flow, and those amounts of water (the exact amounts of which vary on a daily basis, but all of which will be detailed in the monthly reports referenced below) are being delivered to the Tribe in compliance with the terms of the Order.
3. Lower Spring Complex. As set forth in the Order, Boreholes 10, 11, and 12 are expressly outside the scope of the Order (and are not affected by the Order). BTB does not anticipate any changes to its operations at those Spring Sources.
4. Status of Infrastructure. Since the Tribe's needs (as well as the general field conditions) may change over time, different Boreholes (or Tunnels) may be opened or closed (or turned out) from time to time in order to meet the Tribe's needs. Accordingly, no modifications to the existing infrastructure in the San Bernardino National Forest are anticipated at this time.
5. Flow Measurements. BTB continues to maintain individual meters at each Spring Source, as well as a meter at the diversion point to the Tribe's property (among others). In compliance with the terms of the Order, BTB will measure the daily flows (if any) from each Spring Source, as well as the total amount of water that is diverted to the Tribe's property each day. We note that while BTB's meters are designed to deliver accurate readings within their design specifications, some natural variation in meter readings during operations is both normal and expected.
6. Monthly Reporting. As noted previously, BTB will prepare monthly reports documenting the daily flow data for delivery to the SWRCB, and copies of these reports will be delivered to the USFS each month (commencing on December 15<sup>th</sup>). These reports will identify with specificity the amount of water collected from each Spring Source, and the amount of water ultimately delivered to each delivery point (as measured by the various meters).

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