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Comments:

FRYE Issue 5

An infographic by BlueTriton Brands, Inc. (FRLX 16) revealed an unauthorized secondary diversion to the Tribe at their private investment property Arrowhead Springs. This unauthorized diversion was confirmed at the Administrative Water Board Hearing on 1/22/2022. This unauthorized Strawberry Creek diversion was metered and read by the Tribe as seen in the picture and hearing record (FRLX 17, FR LX 24, FR LX 26). The Tribe has failed to report this unauthorized diversion to the State or any agency. The Tribe's is not separately reported to any public agency and not submitted to the San Bernardino Valley Municipal Water District recordation nor Conservation District as confirmed during the Administrative Hearing for BlueTriton Brands, Inc. Unauthorized diversion. The Tribe reads the meter demonstrating complicity in the water diversion and thus, liability in the unauthorized water diversion of BlueTriton Brands, Inc. There was no evidence submitted regarding how the Tribe is using the water or if the Tribe is further diverting the unauthorized water. There is no evidence authorizing the Respondent's secondary diversion of Strawberry Creek headwater springs on SBNF (T2N R3W sec 30 and 31 ) to the Tribe nor any evidence that this diversion is authorized by riparian rights. BlueTriton giving away Forest water to the San Manuel Band of Mission Indians appears to be a back door deal to take the Forest water and injure the Forest and at least a-half-a-million people in the surrounding communities which would have flowed to the Bunker Hill Basin.

Furthermore, the USFS had identified water rights associated with the Arrowhead Springs Property (FRLX 23). The name Arrowhead Water and Power is not a legal entity and the current owners the San Manuel Tribe have not changed the name in the State Water Board ewrims system nor reported any ground water take from any of the said wells associated with the property according to record requests to the San Bernardino Valley Municipal Water District. There is still an active State Water Board case dealing with the properties and water included in this proposed land exchange.