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Attorneys for Applicant James J. Hill III

BEFORE THE

STATE WATER RESOURCES CONTROL BOARD

In the Matter of Water Right
Application No. 30166 of James J.
Hill, III

**ERRATA TO
APPLICANT'S CLOSING BRIEF;
PROOF OF SERVICE**

It has come to the Applicant's attention that three inadvertent omissions occurred in finalizing the Applicant's Closing Brief. The Applicant therefore submits the following errata to correct these errors. The corrections do not affect the pagination of the brief or result in exceedance of the page limit.

1. Page 9. A footnote was omitted in producing the Closing Brief. The sentence affected appears in the final paragraph of text on that page, and states

"The impact is so small that it cannot be directly measured, but only calculated from other measurements."

A footnote was inadvertently omitted which would have indicated the portion of the hearing record supporting this statement. The omitted footnote would have stated:

ESR-2 at 9-1 to 9-2 [Horton] (explaining calculated impact on river stage and flow.)

2. Page 11. Parentheses were omitted in the second sentence of the first full paragraph on page 11, rendering the following sentence, corrected as shown below by underlining, confusing and unclear.

The DO concentrations during this time were within a range considered to be stressful for juvenile steelhead whether the wells were on or off (i.e. not attributable to well operations).⁶⁶

3. Page 16. Although the text in the middle of the first full paragraph shows a footnote (footnote 108), the text of the footnote was inadvertently dropped in the final production of the Closing Brief. The footnote text should have appeared as follows:

¹⁰⁸ DFG-T-17 at 2247-2248 [Bond et al. (2008)] (noting that survival patterns are driven by the difference in growth rates between productive estuary waters and the relatively oligotrophic upstream habitat); DFG-T-14 at 1361-62 [Broughton et al. (2007)] (south of San Francisco, only coastal estuary lagoons have been shown to support high summer steelhead growth.) See also DFG-T-A at 9-13 [Titus] (describing the growth study.)

We apologize for any inconvenience or confusion that the above errata may have caused.

Respectfully Submitted,



Janet K. Goldsmith
Attorney for Applicant James J. Hill, III

PROOF OF SERVICE BY MAIL
HEARING REGARDING WATER RIGHT APPLICATION 30166 FILED BY EL SUR RANCH (BIG
SUR RIVER) – MONTEREY COUNTY

SERVICE LIST

<p>By email also: SWRCB Division of Water Resourced Control Board Attention: Paul Murphey 1001 I Street Sacramento, CA 95812 whearing@waterboards.ca.gov</p> <p>CARMEL RIVER STEELHEAD ASSOCIATION c/o/ Brian LeNeve P.O. Box 1012 Carmel, CA 93921 bjleneve@att.net (831) 624-8497</p>	<p>CALIFORNIA DEPARTMENT OF FISH & GAME c/o Kevin Takei & Chandra Ferrari 1416 Ninth Street, 12th Floor Sacramento, CA 95814 KTakei@DFG.ca.gov CFerrari@DFG.ca.gov (916) 653-3715</p>
<p>TROUT UNLIMITED c/o Brian Johnson 2239 5th Street Berkeley, CA 94710 bjohnson@tu.org (510) 528-4772</p>	<p>CENTER FOR BIOLOGICAL DIVERSITY/CALIFORNIA SPOTFISHING PROTECTION ALLIANCE/VENTANA WILDNERNESS ALLIANCE c/o Adam Lazar 351 California Street, # 600 San Francisco, CA 94104 alazar@biologicaldiversity.org (415) 436-9683</p>

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