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9 Attorneys for the Prosecution Team

10 BEFORE THE STATE WATER RESOURCES CONTROL BOARD
11 STATE OF CALIFORNIA

12 In the Matter of:)
13 DOUGLAS AND HEIDI COLE AND) REQUEST TO SUBMIT SUPPLEMENTAL
14 MARBLE MOUNTAIN RANCH) DECLARATION OF TARO MURANO
15)

16 **I. INTRODUCTION**

17 The Prosecution Team for the State Water Resources Control Board (State Water Board),
18 Division of Water Rights (Division) respectfully requests the permission of the Hearing Officer to
19 submit Prosecution Team Exhibit WR-194¹, the Supplemental Exhibit of Taro Murano.

20 In paragraph 4 of his witness statement (WR-7), Mr. Murano states “Marble Mountain
21 Ranch (“MMR”) is located at 92520, Highway 96 in Somes Bar, Siskiyou County. MMR is owned
22 and operated by the family of Douglas and Heidi Cole. MMR functions as a commercial guest
23 ranch that offers activities such as horseback trail riding, hiking, whitewater rafting, jet boat rides,
24 sport shooting, fly fishing and kayaking. They market themselves as a sustainable ranch and a
25 destination for ecotourism.” Mr. Murano’s supplemental declaration is intended to provide
26 photographs of MMR for demonstrative purposes. This will establish a context and assist the
27 Hearing Officer in understanding what MMR is and the activities it offers.

28 The photographs were obtained from the MMR website and Facebook page. Only
photographs Douglas and Heidi Cole and MMR (the “Diverters”) posted were used.

This supplemental declaration is not prejudicial or unfair to the parties. Mr. Murano
previously described the content depicted in the photographs in his initial witness statement (WR-
7). This is not new information. Furthermore, since the photographs used were posted to the
Internet by the Diverters, the Diverters has already seen and are familiar with all of the

¹ Further references to Prosecution Team exhibits will be “WR-[Exhibit Number].”

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photographs.

The Prosecution Team therefore respectfully requests the permission of the Hearing Officer to offer the Supplemental Declaration of Taro Murano into evidence as an exhibit for the Prosecution Team.

Respectfully submitted,



Kenneth Petruzzelli
OFFICE OF ENFORCEMENT
Attorney for the Prosecution Team

SERVICE LIST OF PARTICIPANTS
Douglas and Heidi Cole and Marble Mountain Ranch
Waste and Unreasonable Use Hearing
Scheduled for August 22, 2017

PARTIES

THE FOLLOWING **MUST BE SERVED** WITH WRITTEN TESTIMONY, EXHIBITS AND OTHER DOCUMENTS. (All have AGREED TO ACCEPT electronic service, pursuant to the rules specified in the hearing notice.)

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