August 9, 2017

VIA U.S. Mail and Email

Marcia Scully, Esq.
General Counsel
Metropolitan Water District of Southern California
P.O. Box 54153
Los Angeles, CA 90054

Re: PRA Request of October 6, 2016

Dear Ms. Scully:

On October 16, 2016, the Water Authority sent a Public Records Act request to MWD, a copy of which is attached as Exhibit “A”. The letter specifically requested all appraisals of any of the Delta Island properties MWD bought last year:

1. All appraisals for any of the “Property”, as that term is identified in section 1.1 of the “PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS” made and entered into as of April 8, 2016, by and between Delta Wetlands Properties and The Metropolitan Water District of Southern California.

In response to this request, MWD produced a number of documents, but no appraisals. I was very surprised that MWD had made such a costly land purchase without a single appraisal, and so I wrote to Bryan Otake (the MWD staff member who had responded to the production request; copy attached as Exhibit “B”), and asked this question:

Bryan, thanks much for the response. I see no formal appraisals in the production. Is it correct that MWD has no actual appraisals in its possession for any of the Delta Islands it purchased? Just want to confirm we are not missing something.

In response, Mr. Otake wrote me back and confirmed that MWD had no appraisals in its possession. (Exhibit “C”).

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Given this history, I was very surprised to learn that last night, in responding to questions from the Rincon del Diablo Municipal Water District Board of Directors, **MWD General Manager Jeff Kightlinger said, as to the Delta Islands properties:** "[T]here was an appraisal that was four years old on it." Mr. Kightlinger then went on to explain that it was the MWD Board of Directors, not MWD staff, who made the decision "another" appraisal was not necessary.

Demand is hereby made that MWD immediately produce the appraisal identified by Mr. Kightlinger, which clearly should have been produced last year pursuant to our PRA request. The PRA request was not limited to recent appraisals, or appraisals MWD performed, but "**All appraisals for any of the ‘Property,’ . . . ."**

Sincerely,

Mark J. Hattam  
General Counsel

Cc: Water Authority Board of Directors  
MWD Board of Directors  
Ms. Maureen Stapleton  
Mr. Jeffrey Kightlinger
October 6, 2016

Ms. Dawn Chin  
Board Executive Secretary  
Metropolitan Water District of Southern California  
P.O. Box 54153  
Los Angeles, CA 90054-0153

Re: Request for Records Under California Public Records Act  
(California Gov. Code § 6250 et seq.)

Dear Ms. Chin:

This letter constitutes a request under the California Public Records Act for the following materials:

1. All appraisals for any of the "Property," as that term is identified in section 1.1 of the "PURCHASE AND SALE AGREEMENT AND JOINT ESCR physical INSTRUCTIONS" made and entered into as of April 8, 2016, by and between Delta Wetlands Properties and The Metropolitan Water District of Southern California.

2. All closing escrow statement(s) for any of the Property (as identified in #1 above) purchased by Metropolitan Water District of Southern California under the "PURCHASE AND SALE AGREEMENT AND JOINT ESCR physical INSTRUCTIONS" made and entered into as of April 8, 2016, by and between Delta Wetlands Properties and The Metropolitan Water District of Southern California.

Please let me know immediately what the cost will be of photocopying these materials so we may issue payment. If you have any questions, please call me. Thank you.

Sincerely,

Mark J. Hattam  
General Counsel

cc: MWD Public Records Administrator (by email at pradministra@mwdsd2o.com)

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EXHIBIT B
Bryan, thanks much for the response. I see no formal appraisals in the production. Is it correct that MWD has no actual appraisals in its possession for any of the Delta Islands it purchased? Just want to confirm we are not missing something.

Mark J. Hattam
General Counsel
San Diego County Water Authority
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San Diego, CA 92123
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mhattam@sdcwa.org
EXHIBIT C
Dear Mark,

It is correct that there were no formal appraisals. Only valuations and comparable studies were undertaken by staff.

Bryan Otake
Senior Deputy General Counsel
Metropolitan Water District of Southern California
P.O. Box 54153
Los Angeles, California 90054-0153

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