

EXHIBIT D

WRITTEN TESTIMONY OF NEWTON DAL POGGETTO

Newton Dal Poggetto is the successor Trustee of the Stornetta Family Trust.

The Stornetta Family Trust owns the property on which the stockpond in question exists.

The first notice Mr. Dal Poggetto received regarding the Stornetta Family Trust's alleged violations of the California Water Code was the certified letter dated March 26, 2012.

Mr. Dal Poggetto will confirm the substance of his letter dated April 2, 2012 to the Division of Water Rights.

Mr. Dal Poggetto will confirm that the use of the water on the property has not changed between 1964 when the Soil Conservation District built the dam to the present. No water has been used or appropriated in any way for irrigation, and the water has been used consistently only as a stockpond.

Mr. Dal Poggetto will confirm that the Soil Conservation District built the subject dam with no involvement of the property owner.

Mr. Dal Poggetto will describe his unsuccessful attempts to comply with the State Water Board laws and regulations while addressing the Administrative Civil Liability Complaint filed against him and the Stornetta Family Trust.

Mr. Dal Poggetto will confirm the Stockpond Registration that has been filed with the State Water Resources Control Board.

Mr. Dal Poggetto will confirm that he will comply with State Water Board laws and regulations.

Mr. Dal Poggetto will object strenuously to the imposition of any fine or penalty in this matter.