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## State Water Resources Control Board

### MEMORANDUM

TO: Eileen Sobeck  
Executive Director  
[Eileen.Sobeck@waterboards.ca.gov](mailto:Eileen.Sobeck@waterboards.ca.gov)

FROM: Nicole L. Kuenzi  
Hearing Officer  
Administrative Hearings Office  
[EXEC-AdminHrgOffice@waterboards.ca.gov](mailto:EXEC-AdminHrgOffice@waterboards.ca.gov)

SUBJECT: Proposed Order Approving Settlement Agreement for Loren and Dolores Ohm (Succeeded by Roncone Properties, LLC) Draft Cease-and-Desist Order

DATE: December 31, 2020

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On June 12, 2020, the Delta Watermaster issued an Amended Draft Cease-and-Desist Order (Amended Draft CDO) to Loren and Dolores Ohm. The Amended Draft CDO concerned diversions and use of water on a property owned by Loren and Dolores Ohm (Respondent) on Roberts Island in the Delta. The property is referred to as the "Ohm Property." Roncone Properties, LLC (Roncone), purchased the property from the Respondent on September 1, 2020. The property and the associated statement of water diversion and use are described in more detail in the enclosed proposed order and settlement agreement.

On August 27, 2020, the AHO issued a Notice of Public Hearing, which set a hearing to consider the issues raised by the Amended Draft CDO. The AHO scheduled the hearing for January 14 and 15, 2021.

After the AHO issued its Notice of Public Hearing, representatives of the Delta Watermaster, the Respondent, and, upon purchase of the property, Roncone, continued to meet and confer to discuss the relevant documents and issues. On December 14, 2020, Roncone and the Delta Watermaster executed a Settlement Agreement with respect to the Ohm Property issues. A copy of this Settlement Agreement is attached to the enclosed proposed order as Exhibit A. The general terms of the Settlement

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Agreement are described in the enclosed proposed order.

After execution of the Settlement Agreement, Roncone and the Delta Watermaster jointly asked the AHO to cancel the hearing on the Amended Draft CDO. The AHO issued a notice cancelling the hearing on December 15, 2020.

The issuance of a decision or order pursuant to a settlement agreement is authorized by Government Code section 11415.60. Section 5 of Board Resolution 2002-0104 authorizes the Executive Director to issue a decision or order by settlement of the parties under section 11415.60. Consistent with these legal authorities, I am transmitting the proposed Order Approving Settlement Agreement to you for your consideration, and, if it is acceptable to you, for your approval.

Encl: 2020-12-31 Proposed Order Approving Settlement Agreement (with settlement agreement attached)

cc w/encl: (see attached service list)

## SERVICE LIST

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