
State Water Resources Control Board

August 10, 2022

Lance Batistich
[REDACTED]

Dear Mr. Batistich:

NOTICE OF VIOLATION - FAILURE TO COMPLY WITH CURTAILMENT ORDERS

Due to the extreme drought conditions, the State Water Resources Control Board (State Water Board) adopted emergency regulations on August 17, 2021. The regulations went into effect on August 30, 2021.

On September 9, 2021, State Water Board imposed curtailments on reported water rights in the Scott Watershed. On September 10, 2021, the State Water Board imposed curtailments on groundwater rights and non-reported surface water rights. On October 25, 2021, curtailments in the Scott Watershed were conditionally suspended (Addendum 1 to Order WR 2021-0083-DWR and Order WR 2021-0084-DWR). On July 1, 2022, the State Water Board issued Addendum 32 to the curtailment orders stating that the suspension of curtailments for surface water rights expired at 12:00 PM on July 2, 2022, reimposing curtailments.

On August 7, 2022, the State Water Board received photographs from California Department of Fish and Wildlife (CDFW) staff. From public roads, CDFW staff took photographs showing irrigation at your place of use or water flowing in a ditch you have a water right for (see Appendix A). Failure to cease diversion is a violation of State Water Board regulations and may subject you to formal enforcement and potential monetary penalties (Water Code section 1846).

The Division may issue an Administrative Civil Liability Complaint (ACL Complaint) at its discretion with a potential fine for up to \$500 per day per water right for each day a violation occurs.

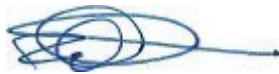
If you are no longer the legal owner of the water right(s) listed, immediately provide proof to the Division at the contact information provided below. Because this diversion is curtailed, you must immediately cease diversions unless the diversion falls under few exceptions as written in the emergency regulations. Addendum 32 can be found online here:

https://www.waterboards.ca.gov/drought/scott_shasta_rivers/docs/2022/scott-addendum32.pdf

Lance Batistich

If you have questions or concerns, please leave a message on the Water Rights Enforcement phone line at (916) 341-5342 or by email at DWR-SiskiyouEnforcement@waterboards.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert P. Cervantes". The signature is stylized with loops and a long horizontal stroke extending to the right.

Robert P. Cervantes, PE
Program Manager - Enforcement
Division of Water Rights

Appendix A



August 7 photograph showing active irrigation



August 7 photograph showing active irrigation