

State Water Resources Control Board

SECOND AMENDED NOTICE OF PUBLIC HEARING AND PRE-HEARING CONFERENCE

The State Water Resources Control Board
Administrative Hearings Office
will hold a Public Hearing and Pre-Hearing Conference on proposed Cease and Desist
Orders and Administrative Civil Liability Complaints against

Jeremy Hodys.

The **Public Hearing** will begin on

December 17, 2026, at 9:00 a.m.

The **Pre-Hearing Conference** will begin on

October 9, 2026, at 9:30 a.m.

Representatives of parties will receive individual invitations to join each scheduled
meeting by e-mail from Zoom.

**Interested members of the public who would like to watch this hearing without
participating may do so through the Administrative Hearings Office YouTube
channel at: bit.ly/aho-youtube**

LANGUAGE SERVICES AND ACCESSIBILITY

The hearing will be offered in English. To request translation of a written document, interpretation services for the hearing or sign language services, please use one of the following options as soon as possible for the pre-hearing conference, and no later than **November 4, 2026, for the hearing:**

- Submit a [Language Services Request online](#)
- Call (916) 341-5254
- E-mail languageservices@waterboards.ca.gov

Comuníquese con nosotros para solicitar servicios lingüísticos o información en su idioma:

ਆਪਣੇ ਭਾਸ਼ਾ ਵਿੱਚ ਭਾਸ਼ਾ ਸੇਵਾ ਅਤੇ/ ਜਾਂ ਸੰਕੇਤ ਬੋਲ ਕਰਨ ਲਈ ਸਭ ਨਾਲ ਸਪਰਕ ਕਰੋ:

Makipag-ugnayan sa amin para humiling ng mga serbisyo sa wika at/o impormasyon sa iyong wika:

Txuas lus rau peb los thov cov kev pab cuam txhais lus thiab/los sis cov ntaub ntawv ua koj hom lus:

[Bit.ly/LanguageAccessForm](https://bit.ly/LanguageAccessForm) | AdminHrgOffice@waterboards.ca.gov

Users of a Telecommunications Device for the Deaf (TDD) may contact the California Relay Service at (800) 735-2929 or the teletype (TTY) voice line at (800) 735-2922.

BACKGROUND

On August 5, 2026, staff of the Division of Water Rights (Division) of the State Water Resources Control Board (State Water Board or Board) issued two Administrative Civil Liability Complaints (ACL Complaints) and two Draft Cease and Desist Orders (Draft CDOs) against Mr. Jeremy Hodys (Respondent) for actions related to the diversion and use of water for cannabis cultivation at several properties in Mendocino County.

The first ACL Complaint (Hodys ACL) and Draft CDO (Hodys CDO) were issued to Respondent for actions at a Property in Mendocino County owned by Brenda R. Kershenbaum Trust (Kershenbaum Property).¹ (Hodys ACL, pp. 1, ¶ 1, p. 2, ¶ 10; Hodys CDO, p. 2, ¶ 1.) The second ACL Complaint (Joint ACL) and Draft CDO (Joint CDO) were issued to both Mr. Ryan Shields and Respondent for actions at three Properties in Mendocino County: the Shared Property, Hodys Property, and Shields Property.² (Joint ACL, p. 1, ¶ 1; Joint CDO, p. 2, ¶¶ 1, 2.)

The Division seeks joint and several liability³ against Mr. Shields and Respondent for actions on the Shared Property, and individual liability against Mr. Hodys for actions on the Hodys Property. (Joint ACL, p. 1, ¶ 2, p. 2, ¶ 6.) The Division does not seek liability against Mr. Hodys for actions on the Shields Property. (*Id.* at p. 3, ¶ 7.) The Joint ACL alleges that Respondent and Mr. Shields individually purchased their respective properties and jointly purchased the shared property. (*Id.* at p. 3, ¶ 8.)

The Kershenbaum Property, Hodys Property, and Shared Property are in the Blue Rock Creek Watershed (HUC 12 #180101050204), a tributary to the Eel River. (Hodys ACL, p. 2, ¶ 11; Joint ACL, p. 4, ¶ 9.) The Hodys ACL and the Joint ACL allege that Respondent made unauthorized diversions of surface water for irrigation of cannabis plants in violation of Water Code section 1052, the State Water Board's Cannabis Cultivation Policy (adopted pursuant to Water Code section 13149), and diverting water or using water for cannabis cultivation without a license pursuant to Water Code section 1847, subdivision (b)(4). (Hodys ACL, p. 2, ¶¶ 7–9, p. 22, ¶ 56; Joint ACL, pp. 2–3, ¶¶ 5, 6.) Additionally, Hodys ACL and the Joint ACL allege that Respondent failed to file statements of water diversion and use pursuant to Water Code section 5101. (Hodys ACL, p. 2, ¶ 5; Joint ACL, pp. 2–3, ¶¶ 5, 6.) Only the Hodys ACL alleges that

¹ The Kershenbaum Property is comprised of three Assessor Parcel Numbers (APNs). The APNs are 056-060-24-00, 056-25-01, and 056-060-28-00. (Hodys ACL, p. 1, ¶ 1.)

² The Shared Property is comprised of two APNs: 056-060-03-00 and 056-270-18-00. The Hodys Property's APN is 056-260-06-00 and the Shields Property's APN is 056-260-05-00. (Joint ACL, p. 1, ¶ 1.)

³ Under "joint and several liability" multiple parties can be held fully responsible for paying a fine, and the parties must then rely on principles of indemnity or contribution to apportion ultimate liability amongst themselves. (See *American Motorcycle Assn. v. Superior Court of Los Angeles County* (1978) 20 Cal. 3d 578, 586-590.)

Respondent failed to file supplemental statements of water diversion and use pursuant to California Code of Regulations, title 23, section 920. (Hodys ACL, p. 2, ¶ 6.)

The Hodys ACL recommends that the Board impose administrative civil liability on Respondent in the amount of \$40,000. (*Id.* at p. 30, ¶ 69.) The Joint ACL recommends that the Board impose joint and severable administrative civil liability on Respondent and Mr. Shields in the amount of \$41,000 and individually to Respondent in the amount of \$29,000. (Joint ACL, p. 39, ¶ 86.)

The first Draft CDO (Hodys CDO) would require the Respondent, pursuant to Water Code section 1831, to: cease and desist any diversion or use of water from Point of Diversion 1/Point of Storage 1 (POD/POS) on the Kershenbaum Property (Kershenbaum POD1/POS1)⁴ for cannabis irrigation until Respondent obtains an appropriative water right that authorizes cannabis irrigation; ensure that no water diversion or use for cannabis cultivation occurs on the Kershenbaum Property without obtaining a Department of Cannabis Control (DCC) license; and ensure that any future diversions for cannabis cultivation on the Kershenbaum Property comply with Term 69 of the Cannabis Cultivation Policy, which prohibits cannabis cultivators from diverting surface water unless the surface water is diverted in accordance with an existing water right and the cultivator maintains documentation of that right at the cannabis cultivation site. (Hodys CDO, p. 12, ¶ 21.)

The second Draft CDO (Joint CDO) would require both the Respondent and Mr. Shields, pursuant to Water Code section 1831, to: cease and desist any diversion or use of water from POD1/POS1 on the Shared Property (Shared POD1/POS1)⁵ until they have obtained an applicable appropriative water right; ensure that no water diversion or use for cannabis cultivation occurs on the Shared Property without first obtaining a DCC license; and ensure that any future diversions for cannabis cultivation on the Shared Property comply with Term 69 of the Cannabis Cultivation Policy. (Joint CDO, pp. 16–17, ¶¶ 1, 5, 8.)

The Joint CDO additionally would require the Respondent to: cease and desist any diversion or use of water from Shared POD1/POS1 on the Hodys Property until he has obtained an applicable appropriative water right; cease and desist any diversion or use of water from POD3/POS10 on the Hodys Property (Hodys POD3/POS10)⁶ until he has

⁴ Kershenbaum POD1/POS1 is an onstream reservoir on an unnamed stream on the Kershenbaum Property, tributary to Blue Rock Creek. (Hodys CDO, p. 3, ¶ 4; Hodys ACL, p. 4, ¶ 14.)

⁵ Shared POD1/POS1 is an onstream reservoir on an unnamed stream located on the Shared Property, tributary to Blue Rock Creek. (Joint CDO, p. 4, ¶ 4.) The Joint CDO asserts that there is conveyance infrastructure leading from Shared POD1/POS1 to the Hodys Property where it is used for irrigation of cannabis. (Joint CDO, p. 12, ¶ 18.)

⁶ Hodys POD3/POS10 is an onstream reservoir on an unnamed stream on the Shared Property, tributary to Blue Rock Creek. (Joint CDO, p. 5, ¶ 5.) The Joint CDO asserts

obtained an applicable appropriative water right; ensure that no water diversion or use for cannabis cultivation occurs on the Hodys Property without first obtaining a DCC license; and ensure that any future diversions for cannabis cultivation on the Hodys Property comply with Term 69 of the Cannabis Cultivation Policy.

Division staff sent copies of the ACL Complaints and Draft CDOs to the Respondent by letter dated August 5, 2026. On September 4, 2026, the AHO received a request for hearing by e-mail from Respondent. The AHO has not received a request for hearing from Mr. Shields.

The AHO acknowledged the hearing request on August 21, 2026, by e-mail and on August 25, 2026, by letter.

PURPOSE OF HEARING; HEARING ISSUES

The purpose of this hearing is for an AHO hearing officer to receive evidence and arguments relevant to the following hearing issues below:

Draft CDOs Hearing Issues:

- a. Should the Board adopt one or more cease and desist orders against the Respondent, and if so, what terms and conditions should be included in such orders?

ACL Complaints Hearing Issues:

- a. Did the Respondent fail to file one or more statements of diversion and use as required by Water Code section 5101?
- b. Did the Respondent fail to file supplemental statements of water diversion and use as required by California Code of Regulations, title 23, section 920?
- c. Did the Respondents make unauthorized diversions of water in violation of Water Code section 1052?
- d. Did the Respondents violate any principles, guidelines, and requirements of the Cannabis Cultivation Policy, established by the Water Board under Water Code section 13149?
- e. Did the Respondents divert or use water for cannabis cultivation without having obtained a Department of Cannabis Control commercial cannabis license?
- f. If the answers to any of the above Hearing Issues are “yes,” what amount of civil liability should the AHO impose under Water Code section 1055.3?

that there is conveyance infrastructure leading from POD3/POS10 to the Hodys Property where it is used for domestic use. (Joint CDO, p. 12, ¶ 18.)

ADMINISTRATIVE RECORD

The Board's order will be based upon evidence and arguments in the administrative record. The AHO may add additional documents, in addition to any exhibits the parties submit to the administrative record. The following documents currently are in the AHO administrative record for this matter:

1. August 5, 2026, Draft Hodys ACL Complaint and Transmittal Letter;
2. August 5, 2026, Draft Hodys & Shield ACL Complaint and Transmittal Letter
3. August 5, 2026, Hodys & Shields ACL Complaint
4. August 5, 2026, Hodys & Shield Draft Cease and Desist Order
5. August 5, 2026, Hodys ACL Complaint
6. August 5, 2026, Hodys Draft Cease and Desist Order;
7. August 19, 2026, Hearing Request from Mr. Hodys;
8. August 19, 2026, Mr. Hodys email to the AHO clarifying the hearing request is for all civil complaints;
9. August 20, 2026, Prosecution Team email to the AHO confirming the hearing request is for all civil liability complaints;
10. August 21, 2026, AHO email to service list;
11. August 21, 2026, Hearing Acknowledgment Letter from the AHO
12. August 25, 2026, Proof of Service of the Hearing Acknowledgment Letter.

The parties may submit additional evidence and make arguments based on the evidence during the hearing concerning the hearing issues outlined above.

HEARING OFFICER AND HEARING TEAM

Hearing Officer Cody Phillips will preside during the hearing. The hearing officer will be assisted in an advisory capacity by AHO staff. The hearing officer will prepare a written proposed order for Board consideration under Water Code section 1114, subdivision (c)(1) after the matter is submitted for decision.⁷

PROSECUTION TEAM

A Prosecution Team composed of State Water Board staff will be a party to this hearing. The Prosecution Team will be comprised of attorneys from the State Water Board's Office of Enforcement and staff from the State Water Board's Division of Water Rights Enforcement Section.

⁷ Water Code section 1114, subdivision (b), provides that the AHO hearing officer shall adopt a final order in proceedings under Water Code section 1847 or 5107. While this proceeding is for administrative civil liability under Water Code section 1847, it also includes alleged violations under Water Code section 1052. Because this proceeding is not solely for administrative civil liability under sections 1847 and 5107, the AHO is conducting this proceeding under Water Code section 1114, subdivision (c)(1).

PRE-HEARING CONFERENCE

The AHO will conduct a pre-hearing conference on **October 9, 2026, at 9:30 a.m.** No in-person appearances will be allowed. The pre-hearing conference will be held and electronically recorded by Zoom Webinar.

Unless modified by the hearing officer, the hearing dates, procedures, and deadlines identified in this Hearing Notice shall apply to the hearing and pre-hearing proceedings in this matter. During the pre-hearing conference, the AHO hearing officer will discuss with the parties whether he should modify any of the procedures or key hearing issues identified in the Hearing Notice.

The purpose of the pre-hearing conference is to ensure that the parties are ready to proceed with the hearing and address any outstanding procedural or evidentiary issues.

Each party shall file a pre-hearing conference statement by **October 5, 2026, at 11:59 p.m.** addressing the following issues:

1. Whether the schedule and deadlines for hearing participation set forth below should be adjusted in any way;
2. Prospects for settlement;
3. An estimate of the number of witnesses the party intends to present, and the anticipated length of their oral testimony; and
4. Any other topics the parties wish to address.

The parties are encouraged, but not required, to submit a joint pre-hearing conference statement collectively addressing the above issues. Pre-hearing conference statements may be a single page, submitted as an email to AdminHrgOffice@Waterboards.ca.gov.

SUBMITTALS OF DOCUMENTS TO AHO AND OTHER PARTIES

All documents submitted to the AHO shall be addressed and submitted by one of the following methods:

E-mail (preferred method for documents other than exhibits):

AdminHrgOffice@Waterboards.ca.gov

By Mail:

State Water Resources Control Board Administrative Hearings Office
P.O. Box 100 Sacramento, CA 95812-0100

Hand Delivery or Overnight Delivery:

Joe Serna Jr. CalEPA Building Administrative Hearings Office
1001 I Street Sacramento, CA 95814

By uploading to the File Transfer Protocol (FTP) (Preferred method for exhibits):

All participants must submit exhibits by uploading them to the State Water Board's FTP site. The State Water Board's FTP site may be accessed at <https://ftp.waterboards.ca.gov/>.

Please see the part of this notice below titled “PROCEDURES FOR THIS WATER RIGHT HEARING” for more information regarding hearing procedures, submission of documents, and proofs of service.

The AHO has added the documents identified as part of the Administrative Record, above, to the State Water Board’s FTP site.

The AHO has posted files of these documents on the FTP site in the folder for this hearing. Instructions on how to access the FTP site are listed in Section 6 below.

PROHIBITION ON *EX PARTE* COMMUNICATIONS; SEPARATION OF FUNCTIONS

While this proceeding is pending, *ex parte* communications between any party, party representative, or interested person and the hearing officer, any member of the hearing team, or any State Water Board member are prohibited. *Ex parte* communications include any type of communication regarding this proceeding that occurs between a party or interested person and the hearing officer, a member of the hearing team, or a State Water Board member without notice and an opportunity for all parties to participate. (See Wat. Code, § 1110, subd. (c); Gov. Code, §§ 11430.10–11430.80.) Additional information about *ex parte* communications is in response number 16 of the AHO’s FAQ posted at bit.ly/aho-faq. (See response to FAQ 16.)

Please do not attempt to communicate by telephone with any AHO hearing officer or staff member regarding this hearing, because other parties would not be able to participate in such communications. If any party wishes to communicate with the AHO at any time regarding any issue related to this proceeding, including any issue regarding hearing procedures or filing of documents, please communicate by e-mail to AdminHrgOffice@waterboards.ca.gov or by letter to the AHO and serve all other parties with copies of the communication.⁸ The party shall include a proof of service through a formal proof of service or by other verification.⁹

The Prosecution Team is separated from the AHO hearing team. Like all other parties, the Prosecution Team is prohibited from having any *ex parte* communications with any members of the AHO hearing team. (See Wat. Code, § 1110, subd. (c); Gov. Code, §§ 11430.10–11430.80.)¹⁰ These rules regarding *ex parte* communications apply to all members of the AHO hearing team.

⁸ The AHO’s mailing addresses are provided in Item 6, below.

⁹ All references to “proof of service” in this document refer to either a formal proof of service or a list of the parties and the addresses of them or their representatives in an e-mail “cc” (carbon copy) list or the cc portion of a letter.

¹⁰ For a discussion of *ex parte* communications regarding State Water Board members, see “Ex Parte Questions and Answers,” available on the State Water Board’s website at: http://www.waterboards.ca.gov/laws_regulations/docs/exparte.pdf.

AHO WEBPAGE AND NOTICES

Subject to legal limitations, including the requirements for internet website accessibility in Government Code section 11546.7, the AHO will post all notices and ruling letters on the AHO's Internet webpage:

https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/

The AHO webpage has information about accessing the AHO's YouTube channel to watch live broadcasts or past recordings of hearings.

For general information about AHO proceedings, an AHO Procedures and Frequently Asked Questions (FAQs) page is available, with links to an Attorney List for Pro Bono Representation, a guide to Preparing for Your Hearing, and FAQs at:

https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/procedures.html.

The AHO has also prepared a memorandum with information about how the AHO resolves a matter if (1) the Division withdraws the ACL Complaint in the matter, (2) the parties settle, or (3) the AHO holds a hearing. A copy of this memorandum is available at:

https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/docs/2020-07-10_aho-dwr_processes_memo.pdf.

HEARING SCHEDULE AND DEADLINES

Deadline for Prosecution Team to file and serve exhibits	November 4, 2026, 11:59 p.m.
Deadline for Respondent to update the Parties on efforts to retain an attorney	November 9, 2026, 11:59 p.m.
Deadline for the parties to file pre-hearing conference statements	October 5, 2026, 11:59 p.m.
Pre-hearing conference	October 9, 2026, 9:30 a.m.
Deadline for the Respondent to file and serve exhibits	December 11, 2026, 11:59 p.m.
Hearing date and time	December 17, 2026, at 9:00 a.m.
Deadline for parties to file optional closing briefs (20 pages or less) and proposed orders	January 20, 2026, at 11:59 p.m.

HEARING LIVE-STREAM AND RECORDINGS

The hearing will be live streamed through the Administrative Hearings Office YouTube channel, accessible by clicking on the link: bit.ly/aho-youtube

UPDATES TO SERVICE LIST

If any party or interested person on the service list wants to change any of their information in the current service list, the party or interested person should submit this information by e-mail to adminhrgoffice@waterboards.ca.gov. The party or interested person does not need to send copies of the e-mail to the service list.

PROCEDURES FOR THIS HEARING

The following procedures apply to this hearing. The hearing officer may amend these procedures before, during or after the hearing as he deems appropriate.

1. HEARING PROCEDURES: The AHO will conduct this hearing according to the procedures for hearings set forth in California Code of Regulations, title 23, sections 648–648.8, 649.6 and 760. Copies of these regulations are posted on the State Water Board’s website: www.waterboards.ca.gov/laws_regulations. If there is any conflict between any provision of this notice and any provision of these regulations or any applicable statute, then the provision of the regulation or statute shall apply to this proceeding.

2. SETTLEMENTS: The Prosecution Team and the Respondent may engage in private settlement discussions, and may, or may not, include any other persons in those discussions. No representative of the AHO will participate in such settlement discussions.

3. POLICY STATEMENTS BY INTERESTED PERSONS: As provided in California Code of Regulations, title 23, section 648.1, subdivision (d), the hearing officer normally will allow interested persons who are not designated as parties to present non-evidentiary policy statements during the hearing.

4. TESTIMONY AND OTHER EXHIBITS: Exhibits include all documents to be submitted as evidence. The parties may submit any exhibits by the deadlines specified using the procedures described in Item 6, below. Any party submitting written proposed testimony before the hearing still must produce the actual witness or witnesses to verify the written proposed testimony, provide a summary of it, and be available for cross-examination, during the hearing.

5. EXHIBIT FORMATTING AND ORGANIZATION: A party submitting evidence must file with the AHO both the exhibits and an Exhibit Identification Index, which is a list of exhibits in Word or Excel format. A sample is attached to the end of this document.

Each party should label exhibits with a short version of the party's name and sequential numbers. For example, the Prosecution Team's exhibits should be numbered PT-1, PT-2, etc.

6. SUBMISSIONS OF DOCUMENTS: To submit exhibits, a party shall upload those exhibits to the State Water Board's FTP site in electronic form unless the hearing officer authorizes submission of exhibits in different formats.

The State Water Board's FTP site may be accessed at <https://ftp.waterboards.ca.gov/>.

All parties may use the shared account on this site to access and download documents in the administrative record for this hearing. This shared account is referred to in this notice as the "State Water Board FTP Download Folder". The AHO will provide each party with a unique account to upload the party's documents for this hearing. These accounts are referred to in this hearing notice as the "Parties' Upload Folders".

a. State Water Board Download Folder:

The AHO has created a folder for this proceeding on the State Water Board's FTP site. The folder for this proceeding contains all administrative record documents related to this proceeding and may contain various subfolders, including subfolders for background documents and hearing documents. Only AHO personnel may upload files to this folder. The AHO will post each party's hearing exhibits, exhibit identification indices and any closing briefs (as required by the hearing officer) to this folder promptly after each applicable filing deadline. The AHO may add other administrative record documents to this folder during this proceeding (including recordings of hearings, correspondence, and the AHO's proposed order). The documents in this folder include the AHO's administrative record for this proceeding. Anyone may download documents from the State Water Board Download Folder for any proceeding, including this proceeding, at any time.

If any party believes that the AHO should add documents to, or remove any documents from, this folder for this proceeding, then the party may file a request to the hearing officer for such action (by e-mailing the request to the AHO e-mail inbox) and shall transmit copies of the request to all other parties on the service list. The hearing officer will issue rulings or take other actions on such requests as the hearing officer deems appropriate.

b. Parties' Upload Folders:

The AHO will create a separate upload account for each party for this hearing, so that the party may upload the party's exhibits and other documents to the folder for that account. In most cases, these accounts will be specific for each party and each hearing and the AHO will close the accounts for each hearing after the hearing and related proceedings have been completed. Only the party may upload files to the party's folder, and only the AHO may view, transfer and download files from this folder.

Each party shall upload its exhibits and Exhibit Identification Index to the party's folder on the State Water Board's FTP site before the exhibit filing deadline specified in this notice. A party that uploads hearing documents to the FTP site does not need to serve copies of the documents on the other parties, except that, if another party has not agreed to accept electronic service of documents, then the party uploading hearing documents to the Board's FTP site also shall serve paper copies of all such documents on that other party and shall file a proof of this service with the AHO. When a party has uploaded all of the party's exhibits to the Board's FTP site, the party or party's representative shall send an email the AHO at AdminHrgOffice@Waterboards.ca.gov with copies to the other parties on the service list, notifying the AHO and the other parties that the party has uploaded the documents.

After the exhibit filing deadline, the AHO will move all filed exhibits and Exhibit Identification Indices from the parties' Upload Folders to the administrative record folder and advise the parties that these documents are available for downloading from that folder. The AHO may rename or renumber exhibits that do not have proper exhibit names or numbers. If the AHO does this, then the AHO may create an electronic folder of unaltered documents that the party has submitted and a separate electronic folder of any documents the AHO has renamed or renumbered, in the State Water Board's Download folder.

If a party cannot upload exhibits to the FTP site, then the party may mail two paper copies of all its exhibits to the AHO by mail or overnight delivery at:

By Mail: State Water Resources Control Board Administrative Hearings Office P. O. Box 100 Sacramento, CA 95812-0100	By Hand or Overnight Delivery: Joe Serna Jr. CalEPA Building State Water Resources Control Board Administrative Hearings Office 1001 I Street Sacramento, CA 95814
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The deadline for filing paper copies, in lieu of electronically filing the exhibits, is the same as the exhibit filing deadline specified in this notice.

7. PRE-HEARING CONFERENCE: The hearing officer will conduct a pre-hearing conference before the hearing to discuss the pre-hearing and hearing schedules, the scope of the hearing, the status of any protests, and any other appropriate procedural issues. This notice states the date and time of the pre-hearing conference. The hearing officer may issue notices of subsequent pre-hearing conferences. The hearing officer may issue a pre-hearing conference order after each pre-hearing conference.

8. ORDER OF PROCEEDING: The hearing officer will conduct the hearing in the following order:

- a. **Policy Statements:** The hearing officer will allow interested persons to present policy statements at the start of the hearing before the presentations of cases-in-chief. **Oral policy statements and oral summaries of written policy statements will be limited to 5 minutes.**
- b. **Presentation of Prosecution Team's Case-In-Chief:** The Prosecution Team will present a case-in-chief addressing the issues in the hearing notice. This portion of the hearing will proceed in the following order:
 - Prosecution Team's opening statement (**5 minutes**).
 - Summaries of the Prosecution Team's witnesses' written testimony (**no more than 1 hour total for all witnesses**).
 - Cross-examination of the Prosecution Team's witnesses (**approximately 1 hour**).
 - Re-direct examination and re-cross examination of the Prosecution Team's witnesses, if allowed by the hearing officer.
 - Questions from the hearing officer. (These questions may occur at any time).
 - Offer of exhibits into evidence, with opportunities for objections by other parties.
- c. **Presentations of Respondents' Evidence:** After the Prosecution Team has presented its case-in-chief, Respondents may present testimony and exhibits in response (**no more than 1 hour total for all witnesses**). Respondents must submit testimony and exhibits to the AHO by the deadline stated in this notice. **The Prosecution Team will have approximately 1 hour to cross-examine Respondents witnesses.**
- d. **Closing Briefs and Proposed Orders.** Parties may file and serve optional closing briefs and proposed orders no later than **January 20, 2026, at 11:59 p.m.**

9. HEARING LOGISTICS: The AHO is conducting this hearing by Zoom Webinar. New users of Zoom may want to review Zoom's support guide:
<https://support.zoom.us/hc/en-us/categories/200101697>.

The AHO will not order a court reporter for the hearing. Any interested party may order a court reporter at the party's own expense. The AHO will record the hearing and post audio-plus-video files of the hearing on the State Water Board's FTP site as part of the administrative record for this matter. Parties should test their devices' video and audio functions before the start of the hearing or pre-hearing conference.

The hearing will be conducted by Zoom Webinar. The AHO has registered each person on the service list for the proceeding as an “Attendee” of the AHO hearing using the e-mail address on the service list. The Zoom Webinar service will generate an individual link for each Attendee which will allow the Attendee to join the hearing. The Zoom service will send an e-mail containing the link to the e-mail address used to register the Attendee.

This link is specific to the named person and should not be shared with other users. The same link cannot be used to access the hearing on more than one device. If you are a party representative who is on the service list and you have not received an individual link for the hearing at least 24 hours prior to the start of the hearing, please first check your junk or spam mail folders, and then e-mail the AHO at: adminhrgoffice@waterboards.ca.gov

Parties should plan to call into the hearing at least 10 minutes before the scheduled hearing time to ensure the party can resolve any technical issues before the hearing begins. Parties will initially be in a virtual waiting room and will be admitted to the hearing by a member of the AHO office. When speaking, please turn the video on and unmute the microphone by clicking on the symbols in the lower left-hand side of the Zoom window.

To join the hearing, participants should click the individual “Join” link sent by e-mail by the Zoom service. Participants will not be able to use a phone line to call in to the hearing. AHO staff will admit Attendees into the virtual hearing room, which will be referred to by the Zoom software as a webinar. Attendees will be able to see and hear video tiles of the hearing officer and other AHO staff but will not be able to turn on their own camera or microphone features when the hearing begins. The hearing officer will call for appearances from each of the parties. When the hearing officer calls for the appearance of the representative or representatives of a party, AHO staff will either allow the representatives' microphones to unmute or the representatives should raise their virtual “Zoom” hand to identify themselves for AHO staff. Once unmuted, the representative shall identify him or herself and AHO staff will then elevate the Attendee to a “Panelist.” Panelists may unmute their own microphone, activate their own video, and take other actions as necessary to participate in the hearing.

During the hearing, AHO staff may change the status of participants who are not actively involved in that portion of the hearing to “Attendee” status. An Attendee may raise his or her virtual “Zoom” hand to gain the attention of the hearing officer and the hearing officer will call on the representative and unmute the representative’s microphone. If you do not plan to speak during that day’s hearing, please do not attend the Zoom Webinar and instead view the livestream of the hearing on the AHO’s YouTube channel.

If the device you are using freezes, please notify staff at AdminHrgOffice@waterboards.ca.gov or by calling (916) 341-6940 and leaving a voicemail message and restart the device. AHO staff will be monitoring the e-mail inbox and voicemail and will notify the hearing officer.

In lieu of participating by Zoom, anyone may watch past or present AHO hearings at the following link: bit.ly/aho-youtube.

Parties watching AHO hearings by this method will not be able to participate in the hearing and will not be identified to anyone else.

October 9, 2026
Date



Cody Phillips
Hearing Officer
Administrative Hearings Office
State Water Resources Control Board

Attachments:

- Attachment 1 - Exhibit Identification Index
- Attachment 2 - Service List

ATTACHMENT 1

EXHIBIT IDENTIFICATION INDEX

[illegible]

ATTACHMENT 2 SERVICE LIST

Jeremy Hodys

6010 N State St.

Ukiah CA, 95482

nolimitsurfer@gmail.com

State Water Resources Control Board Office of Enforcement

Heather Jidkov

Heather.Jidkov@waterboards.ca.gov

State Water Board Division of Water Rights

Roberto Cervantes

Roberto.Cervantes@waterboards.ca.gov

Taro Murano

Taro.Murano@waterboards.ca.gov

Stormer Feiler

Stormer.Feiler@waterboards.ca.gov

Laura Cunningham

Laura.Cunningham@waterboards.ca.gov

Pete Hollingshead

Pete.Hollingshead@waterboards.ca.gov