

State Water Resources Control Board

ACCEPTANCE OF SETTLEMENT OFFER AND WAIVER OF RIGHT TO HEARING AND RECONSIDERATION

Delbert Howard

Water Right IDs: A027961, A025140

By properly executing and returning this Acceptance of Settlement Offer and Waiver of Right to Hearing and Reconsideration ("Acceptance and Waiver") to the State Water Resources Control Board ("State Water Board"), Delbert Howard ("Respondent") hereby accepts the Division of Water Rights' conditional Settlement Offer and waives their right to contest the violations alleged in the Administrative Civil Liability ("ACL") Complaint at a hearing before the State Water Board, Administrative Hearings Office. Respondent also waives their right to request reconsideration of an order by the State Water Board resolving the violations alleged in the ACL Complaint.

Settlement Offer:

The Division of Water Rights Prosecution Team makes the following offer to settle this matter without the need for a formal hearing. The terms of the settlement are as follows:

- File the delinquent Annual Water Diversion and Use Reports within 20 days of receiving the ACL Complaint, and
- Pay the settlement amount of \$1,600 within 30 days of receiving the State Water Board's Order Approving the Settlement Agreement.

To accept the Settlement Offer, Respondent must complete all of the following items:

1. **Within 20 calendar days of receipt of the ACL Complaint**, file the Water Diversion and Use Reports for the water rights identified above by logging into the State Water Board's Report Management System (RMS) website (<https://rms.waterboards.ca.gov>) using the User IDs and Passwords listed in the table below:

User ID / Water Right ID	Password (Reporting Identifier)
A027961	
A025140	

2. **Within 20 calendar days of receipt of the ACL Complaint**, sign this Acceptance and Waiver and deliver it via email to DWR-Reporting@waterboards.ca.gov or by mail to:

State Water Resources Control Board
Division of Water Rights
Attention: Enforcement Section
P.O. Box 2000
Sacramento, CA 95812-2000

3. **Within 30 days of the State Water Board issuing an Order Approving the Settlement Agreement**, remit the \$1,600 settlement amount payment.

Do not send payment at this time.

Once Respondent completes Steps 1 and 2 above, the State Water Board will issue an Order approving this settlement agreement. At that time, the Respondent shall remit payment of the settlement amount within 30 days as directed by the Order.

Failure to accept the Settlement Offer within 20 calendar days of receipt of Complaint or failing to submit the annual reports by the required deadline shall render this Settlement Offer voidable and may subject Respondent to the full proposed liability amount specified in the ACL Complaint.

By properly executing and returning this Acceptance and Waiver to the State Water Board, Respondent acknowledges and understands that:

1. This Acceptance and Waiver waives the Respondent's right to contest the allegations in the ACL Complaint and the amount of administrative civil liability for the alleged violations.
2. This Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint.
3. This Acceptance and Waiver is not final and effective until it is approved by the State Water Board, or its delegee.

I hereby affirm that I am duly authorized to act on behalf of and to bind Respondent in the making and giving of this Acceptance and Waiver.

By: Signed original available upon request

7/23/2024

Signature

Delbert Howard

Date

Owner

Printed or typed name

Title

Relationship to Respondent if not Respondent

Email Address (REQUIRED)