



## State Water Resources Control Board

AUG 14 2024

### DELIVERY CONFIRMATION

Richard M. Berry



DELIVERY MAIL NO:

Mr. Richard Berry:

#### NOTICE OF VIOLATION - FAILURE TO COMPLY WITH CURTAILMENT ORDERS (WR ID(s): S024360 and SG003902)

The State Water Board adopted an emergency regulation establishing emergency minimum flows in the Scott River and Shasta River watersheds on December 19, 2023. (Cal. Code Regs., tit. 23, §§ 875-875.9.) The regulation went into effect on February 1, 2024, and will remain in effect for one year.

On July 23, 2024, the Deputy Director for the State Water Board Division of Water Rights (Division) issued the Order Imposing Water Right Curtailment and Requiring Reporting for Water Rights in the Scott River Watershed. United States Postal Service (USPS) records indicate that you received the Order for surface water rights on July 25, 2024, and the Order for adjudicated groundwater rights on July 29, 2024.

On August 1, 2024, Division staff observed and took photo documentation from public roads of irrigation occurring at your place of use, identified as Siskiyou County Assessor Parcel Numbers and (see Appendix A). Division staff could not find evidence of a pending or approved Local Cooperative Solution (LCS) proposal, and therefore, the use of water for irrigation is not authorized. 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), Cease and Desist Orders, or both at its discretion with a potential fine of up to \$500 per day per water right for each day a violation occurs. If you have questions or concerns, please leave a message with Fernando Salcido at (916) 327-8684 or email at [Fernando.Salcido@waterboards.ca.gov](mailto:Fernando.Salcido@waterboards.ca.gov).

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

**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 above.**

**Because this diversion is curtailed, you must immediately cease diversions unless the diversion falls under an exception as written in the emergency regulations.**

Sincerely,

ORIGINAL SIGNED BY

Lang Khang, PE  
Senior Water Resource Control Engineer, Supervisor  
Division of Water Rights, Enforcement Section

ec: **Division of Water Rights**

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**Office of Enforcement**

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