



State Water Resources Control Board

August 23, 2024

GLS TRACKING

Fisher Brandy L & Rachael M (Trustee)



GLS TRACKING NO:

Fisher Brandy L & Rachael M (Trustee):

NOTICE OF VIOLATION - FAILURE TO COMPLY WITH CURTAILMENT ORDERS (WR ID: SG003327)

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 24, 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 (Order). United States Postal Service (USPS) records indicate that the Order was attempted to be delivered on July 26, 2024, but was returned to the Division on August 10, 2024 because you did not accept delivery. On August 9, 2024, the Deputy Director for the Division issued the Addendum to Order WR-2024-0025-DWR: Updating Attachment A of the Order (Addendum). United States Postal Service (USPS) records indicate that the Addendum was attempted to be delivered on August 12, 2024, and August 17, 2024. No authorized agent accepted delivery. The Division is aware that you were still diverting as of July 31, 2024, August 13, 2024, and August 21, 2024. 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).

On July 31, 2024, August 13, 2024, and August 21, 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 Number 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).

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

The Division may issue an Administrative Civil Liability Complaint (ACL Complaint), Cease and Desist Order, or both at its discretion with a potential fine of up to \$500 for each day the violation occurs and for each water right. If you have questions or concerns, please leave a message with Katt Lundy at (916) 341-5342 or email at DWR-SiskiyouEnforcement@waterboards.ca.gov.

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,



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

Enclosure: Fisher_Order WR-2024-0025-DWR
Fisher_Addendum_to_Order WR-2024-0025-DWR

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