



State Water Resources Control Board

January 21, 2026

In Reply Refer to:
PC-35520

CERTIFIED MAIL

MATTHEW FORTEZZO
HEU LLC
Mfortezzo3@Gmail.Com
Matthew@Grizzlygrown.Com

CERTIFIED MAIL NO: 9589 0710 5270 1738 1280 70

MAUREEN MCCREADY
HEU LLLC

CERTIFIED MAIL NO: 9589 0710 5270 1738 1280 87

Dear Matthew Fortezzo:

NOTICE OF VIOLATION FOR THE CANNABIS SMALL IRRIGATION USE REGISTRATION CERTIFICATE 100147 (H500767) – HUMBOLDT COUNTY ASSESSOR PARCEL NUMBER (APN) 207-321-023-000

The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) received a complaint from the California Department of Fish and Wildlife (CDFW) alleging that your water diversion under H500767 is used to supply water to several neighboring parcels, resulting in a violation of your water right H500767 (SIUR Certificate 100147). In addition, there are also overdue fees and annual reports for SIUR H500767 and SIUR H510275.

The CDFW complaint described that your surface water diversion on APN 207-321-023-000 has been used to convey water across the Van Duzen River to approximately 15 parcels, which are outside of the authorized place of use of your cannabis SIUR. The authorized place of use of H500767 is identified as 0.23 acres of irrigation only on Humboldt County APN 207-321-023-000.

1. Water Code section (WC §) 1846 states: *(a) A person or entity may be liable for a violation of any of the following in an amount not to exceed five hundred dollars (\$1000) for each day in which the violation occurs:*

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

(1) A term or condition of a permit, license, certificate, or registration issued under this division.

Overdue Water Rights Annual Fees

Additionally, you are the right holder of two cannabis SIURs with overdue annual fee payments. The cannabis SIUR H500767 (Certificate ID H100147) was issued to Matthew Fortezzo on May 4, 2018 with the Place of Use designated at Humboldt County APN 207-321-023-000. For H500767, you are currently in non-compliance with the annual water right fee requirements for fiscal years: 2019-2020, 2020-2021, 2021-2022, 2022-2023, 2023-2024, 2024-2025, and 2025-2026.

The cannabis SIUR H510275 (Certificate ID H100744) was issued to Matthew Fortezzo on January 4, 2022 with the Place of Use designated at Humboldt County APN 207-321-005-000. For the cannabis SIUR H510275, you are currently in non-compliance of the annual water right fee requirements for fiscal years: 2022-2023, 2023-2024, 2024-2025, and 2025-2026.

Failure to pay the required fees and accruing penalty interest may result in additional penalties, interest, and collection actions (WC §1536).

Overdue Annual Water Use Reports

The cannabis SIUR H500767 annual water use reports are overdue for reporting years: 2022, 2023, 2024, and 2025. The cannabis SIUR H510275 annual water use reports are overdue for reporting years: 2022, 2023, 2024, and 2025. Each missing annual water use report is a violation of Section 924 of Title 23 of the California Code of Regulations (CCR). The State Water Board may impose a civil liability in the amount of \$500 for each failure to file violation and \$250 for each day the violation continues if the person fails to correct the violation within 30 days after the board has called the violation to the attention of that person (WC § 1847).

The 2025 annual water use reports will be due for both SIURs on January 31, 2026.

This letter constitutes your notice of the abovementioned CCR, WC, and Cannabis Policy requirements. Your response to the complaint allegation described in this notice is required and should be submitted within a timely manner. The State Water Board has discretion when considering an enforcement action and shall consider your corrective actions taken in response to this notice in determining whether and what civil liability is appropriate for violations.

Therefore, this matter requires your immediate attention.

Within 30 days from the date of this notice letter you should take the following corrective actions:

1. You must provide proof of your basis of right to convey water from your diversion on Humboldt APN 207-321-023-000 for use outside of the property; **OR**

2. You must cease your delivery of water for use off property until you obtain a separate appropriative water right; **AND**
3. You must file all your past due annual reports and pay all past due annual fees for H500767 and H510275.

You must contact me by phone (916) 319-8107 or via e-mail at Scott.Shironaka@waterboards.ca.gov to inform the Division which compliance options you choose to pursue.

Water Rights Information

If you would like to file an application to appropriate water by permit you can find information and file your application at the following web address:
<https://calwatr.swaterboards.ca.gov/portal/s/appropriative-rights>

Information relating to the filing of a Statement can be found at:
<https://calwatr.swaterboards.ca.gov/portal/s/statement-of-use-initiate>

Cannabis Policy Document:

https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf

If you have any questions regarding this matter, please contact Scott Shironaka at (916) 319-8107 or via e-mail at Scott.Shironaka@waterboards.ca.gov. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Scott Shironaka, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,

Scott Shironaka

Scott Shironaka, Analyst
Cannabis Enforcement Unit 2
Division of Water Rights

cc: **Division of Water Rights**

Taro Murano
Taro.Murano@waterboards.ca.gov

Stormer Feiler
Stormer.Feiler@waterboards.ca.gov

Oscar Macias
Oscar.macias@waterboards.ca.gov

Laura Cunningham
Laura.Cunningham@waterboards.ca.gov

Cannabis Registration Unit
DWR-CannabisReg@waterboards.ca.gov

Tim Shular
Tim.Shular@waterboards.ca.gov

Siddharth Sewalia
Siddharth.Sewalia@waterboards.ca.gov

Department of Fish and Wildlife
Lieutenant Brendan Lynch
Brendan.Lynch@wildlife.ca.gov

Monty Larson
Monty.Larson@wildlife.ca.gov

North Coast Regional Water Quality Control Board
Northcoast.Cannabis@waterboards.ca.gov

Kason Grady
Kason.Grady@waterboards.ca.gov

NorthCoast.Cannabis@waterboards.ca.gov

Humboldt County
Cliff Johnson
Cjohnson@co.humboldt.ca.us

Department of Cannabis Control
Jaime Massuda
Jaime.Massuda@cannabis.ca.gov

Karina Duenas
Karina.Duenas@cannabis.ca.gov

Investigations@cannabis.ca.gov