



State Water Resources Control Board

June 3, 2026

CERTIFIED MAIL

Denise Flores

DELIVERY MAIL NO: 9589 0710 5270 2654 1078 97

NOTICE OF VIOLATION

Investigation ID: 70680

DIVISION OF WATER RIGHTS INVESTIGATION OF TEHAMA COUNTY ASSESSOR PARCEL NUMBER (APN) 001-050-033-000 and 001-050-034-000

Denise Flores,

On May 12, 2026, staff from the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), in coordination with California Department of Fish and Wildlife (CDFW) conducted a search warrant investigation of the property referenced above (Property). The purpose of the investigation was to observe the diversion and use of water occurring on the Property and to evaluate potential impacts to the watershed.

You are being contacted because you were identified as the property owner of the Tehama County APN identified above. On the date of inspection, Division staff determined that the source of water used on the property for cannabis cultivation was groundwater. Division staff also observed a surface water source on the property. Tehama County is a non-permissible County for commercial cannabis cultivation.

This letter provides you notice of the following California Water Code (WC) requirements if you were to establish a surface water diversion for other water uses types like domestic use and fire protection:

1. If you divert water subject to the State Water Board's permitting authority without a valid basis of right on file with the State Water Board, your diversion may be an unauthorized diversion or use of water. An unauthorized diversion or use of water constitutes a trespass against the State, and the State Water Board may impose civil liability in an amount not to exceed \$500 for each day that the unauthorized diversion or use of water occurs. (WC § 1052, et seq.)

- 2. WC sections 5101 requires the following: *“Each, after December 31, 1965, diverts water shall file with board prior to July 1 of the succeeding year, a statement of his or her diversion and use...”*

If you begin to divert water from any stream, a Statement must be filed prior to July 1 of the succeeding year. The State Water Board may administratively impose a civil liability in the amount of \$1,000 for the failure to file a Statement for each point of diversion that has occurred since 2009, plus \$500 per day for each additional day on which the violation continues if the person fails to file a Statement within 30 days after the State Water Board calls the violation to the attention of that person pursuant to WC section 5107(c)(1).

- 3. If you intend to divert water from a stream on or adjacent to your property, you must file for an appropriative water right, such as a Small Domestic Use Registration (SIUR) or submit an application to appropriate water by permit. Failure to file for an appropriative water right can be a violation of the State Water Board’s Policy.

You may be civilly liable for violations of the Water Code in the event you divert water for your uses without a water right or statement on file depending upon the circumstances of your actions.

In the event cannabis cultivation becomes legal in your County and you are considering cannabis cultivation, then please refer to the Water Board’s Cannabis Cultivation Policy and Statewide General Order at the following website:
<https://www.waterboards.ca.gov/cannabis>

The State Water Board, Division of Water Rights, has continuing authority to investigate the diversion of water and use to protect public trust resources. This letter does not preclude further enforcement action by the State Water Board, if evidence is presented that supports a Water Code violation or impacts to public trust resources as a result of your diversion.

During the investigation, Division staff observed State Water Board, Cannabis Cultivation Policy (Policy) violations. Enclosed is the Division’s Inspection Report (Report) of your Property that includes Division staff observations, alleged violations and the corrective actions necessary for compliance with the State Water Board’s Policy. The enclosed Report constitutes your second notice of the alleged violations and this matter requires your immediate attention. The first notice of violation was left with a copy of the search warrant on May 12, 2026, and detailed Policy violations and corresponding corrective actions. The information below is a summary of the alleged violations included in the Report.

Violations and Corrective Actions 6

- Violation: Cannabis Cultivation Policy, Section 2, Term 92 - Water Storage Facility Without Device to Prevent Water Overflow..... 7
- Violation: Cannabis Cultivation Policy, Section 2, Term 93 - Failure to Secure Tank Openings to Prevent Entry and Entrapment of Wildlife. 7

Violation: Cannabis Cultivation Policy, Section 2, Term 98 – Failure to Maintain Daily Records of Water Use for Cannabis Irrigation. 8

Violation: Diversion or Use of Water for Cannabis Cultivation without a Department of Cannabis Control License. 8

Compliance Assistance References..... 9

The State Water Board retains the authority and discretion to take enforcement action based on the facts and allegations contained herein and you may be subject to further enforcement action before the State Water Board. Therefore, this matter requires your immediate attention. You should follow all staff recommended corrective actions described in the enclosed Report or submit a response indicating any course of action you intend to take or have taken, including an implementation schedule, and/or photo documentation that demonstrates your compliance. You can submit supporting documentation directly to Division staff as described at the end of this Report in the **Compliance Assistance References section.**

If you have questions concerning the Report, please contact me by phone at (916) 341-5410, or by email at Ryan.Babb@waterboards.ca.gov. Written correspondence can be provided and addressed to the following address: State Water Resources Control Board, Division of Water Rights, P.O. Box 100, Sacramento, CA 95812-0100, Attention: Ryan Babb.

Sincerely,

ORIGINAL SIGNED BY:
OXCAR MACIAS, FOR

Ryan Babb
Water Resource Control Engineer
Cannabis Enforcement Unit
Division of Water Rights

Enclosures: Division of Water Rights Inspection Report dated May 12, 2026

ec: **Division of Water Rights - Cannabis Enforcement**

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