

State Water Resources Control Board

October 13, 2026

GLS Tracking

Harold B. Tozier Ranch

GLS TRACKING NO: [REDACTED]

NOTICE OF VIOLATION - COMPLIANCE WITH DIVERSION MEASUREMENT AND REPORTING REGULATION S019169, S019163, S019166, and S024354

To Whom It May Concern:

The State Water Resources Control Board (Board) Division of Water Rights (Division) relies on accurate and timely water use data from you and other diverters to help manage California's water.

By February 1 of each year, parties who are required to file a statement of water diversion and use are required to submit supplemental statements to the Board detailing how much water was diverted and used in the previous water year. These statements must include information on the device or method used to calculate the amount of water diverted. **Our records indicate that your Supplemental Statement(s) of Water Diversion and Use does not contain the required information about your measurement device(s).**

Under the authority of Water Code sections 1840 and 1841, the State Water Board has adopted regulations setting requirements for both the accuracy of measurement devices and monitoring frequency for diversions greater than 10 acre-feet per year. The most recent regulation were updated February 1, 2026, and took effect October 1, 2026.

Please see this web link for more information

(https://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_measurement.html).

Measurement and reporting regulations improve the Board's water supply awareness through increased diversion measurement accuracy and frequency. The regulations require the installation of measuring devices and prescribe minimum standards for monitoring and reporting diversions of water. They allow flexibility to determine how best to comply with the new requirements based individual circumstances. Requirements for accuracy, frequency, and implementation schedule are tiered based on diversion size. Water right holders with a diversion, combination of diversions, or reservoir with a

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

storage capacity greater than 1,000 acre-feet per year, are required to install and certify their measurement device(s) or adopt a measurement method. The measuring device must be capable of recording data on an hourly or more frequent basis.

The Division of Water Rights has reviewed your Supplemental Statements of Water Diversion and Use and found that you have failed to submit information regarding your measuring device. This failure constitutes a violation of title 23, section 920, subdivision (c)(6), of the California Code of Regulations. Water Code section 1846 grants the Board the authority to impose an administrative civil liability in amount not to exceed one thousand dollars (\$1,000) for each day of violation of a regulation adopted by the Board.

The Division of Water Rights requests that you correct this ongoing violation by submitting an amended Supplemental Statement of Water Diversion and Use for each statement of diversion and use (S019169, S019163, S019166, S024354) within 60 days of this notice. The amended Supplemental Statements must include the required information regarding your diversion measurement device or method used to calculate the amount of water diverted. Failure to correct this violation may subject you to enforcement actions and penalties as high as \$1,000 per day for statement.

The Division of Water Rights further requests that you submit the diversion data from each measurement device you have installed within 30 days of this notice. Failure to comply with this request subjects you to liability of up to \$1,000 a day. (Cal. Wat. Code, § 1846, subd. (a)(2); 23 Cal. Code Regs., §§ 934, subd. (b)(1), 935, subd. (a)(3), 939.4, subd. (b)(2).)

If you do not yet have a measurement device installed or if you have not yet adopted an appropriate measurement method, you may be in violation of Title 23, Chapter 2.8, Section 932, of the California Code of Regulations. If you have any questions regarding compliance with the measurement regulations, you can visit our website:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_measurement.html or you can contact knowledgeable Division staff directly at (916) 323-9393 or by email at DWR-Measurement@waterboards.ca.gov

Sincerely,

ORIGINAL SIGNED BY:

Kevin Porzio, PE
Program Manager - Enforcement
Division of Water Rights

Ec: **Enforcement Section**

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