



State Water Resources Control Board

July 22, 2026

CERTIFIED & GLS TRACKING

Douglas J. Hale

DELIVERY CONFIRMATION:

Douglas J. Hale

GLS TRACKING NO:

Douglas J. Hale:

NOTICE OF VIOLATION - FAILURE TO COMPLY WITH CURTAILMENT ORDERS

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

On January 7, 2025, the State Water Board readopted the Scott River and Shasta River Emergency Regulation. The Office of Administrative Law approved the emergency regulation on January 27, 2025. Effective January 1, 2026, Assembly Bill (AB) 263 extended the adopted Scott River and Shasta River Emergency Regulation until January 1, 2031, or until permanent rules establishing and implementing long-term flow requirements are adopted for those watersheds, whichever occurs first. (Wat. Code, § 1058.5, subd. (c)(2).) Pursuant to section 875, subdivision (c) of the Scott River and Shasta River Emergency Regulation, the minimum instream flows for the Scott River from June 1 to June 23 is 125 cubic feet per second (cfs), and 90 cfs from June 24 to June 30.

On June 10, 2026, the State Water Board issued Order WR-2026-0008-DWR, which imposed water right curtailment and required reporting for groundwater pumping under Schedule C of the Scott River Adjudication and overlying groundwater diversions (group 9) in the Scott River Watershed associated with parcels listed in Attachment A of the Order. You were identified as one of the landowners subject to this Order. The Order was delivered and available for pick up at the designated mailing address on June 15, 2026, however the order was never picked up. Refusal to pick up the Order

does not exempt you from being subject to the curtailment orders. A copy of Order WR-2026-0008-DWR is included as an attachment to this notice.

On June 18, 25, and 30, 2026, when flows at the USGS Fort Jones gage were below the minimum instream flow requirements, Division staff took photographs, from public roads, of irrigation occurring at your place of use in Siskiyou County (see enclosed photos). Division staff have found no evidence of your enrollment within a Local Cooperative Solutions (LCS) agreement. 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 (Wat. Code, § 1846).

The Division may issue an Administrative Civil Liability Complaint (ACL Complaint), Cease and Desist Order, or both at its discretion. **Penalties for failure to comply with curtailment orders carry a potential fine of up to \$10,000 for each day the violation occurs for each water right, plus an additional \$3,000 per acre foot diverted.** (Wat. Code, § 1846; Cal. Code Regs., tit. 23, § 1100, subd. (b)(7)(A).)

If you have questions or concerns, please leave a message at (916) 341-5411 or email at Lee.Barclay@waterboards.ca.gov.

If you are no longer the legal owner of the water right(s) listed, immediately provide proof to the Division using 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.

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Sincerely,

A handwritten signature in blue ink, appearing to read 'Sahil Pathak', is positioned below the 'Sincerely,' text.

Sahil Pathak
Senior Environmental Scientist
Division of Water Rights, Enforcement Section

ec: **Division of Water Rights**
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