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## State Water Resources Control Board

January 15, 2026

GLS TRACKING

Dennis A. Monterosso  
[REDACTED]

Twin Oaks Irrigation Company (TOIC)  
[REDACTED]

### **NOTICE OF VIOLATION FOR UNAUTHORIZED DIVERSIONS OF SURFACE WATER FROM SAN JOAQUIN RIVER AND TRIBUTARY RETURN FLOWS FROM UPSTREAM PLACE OF USE TO SEASONAL STORAGE IN STANISLAUS COUNTY**

#### **Investigation Summary**

On August 16, 2023, State Water Resources Control Board (State Water Board), Division of Water Rights (Division) staff sent Mr. Monterosso a Report of Investigation (ROI) that notified him of potential unauthorized diversion of water on APNs [REDACTED] and [REDACTED] in Stanislaus County (Figure 1).

The ROI demonstrated the existence of many storage facilities or ponds constructed over the years to expand the storage supply of water on the subject property. Although many of those ponds no longer exist, some remain and store water that is beneficially used for stockwatering, irrigation, dust control, or both without appropriative water rights that authorize the diversion and use of stored water. The source of water in some of these remaining ponds are abandoned return flows from the upstream places of use (POU), which should drain to the San Joaquin River and not be recaptured to seasonal storage for later beneficial use.

The Division required Mr. Monterosso to submit a compliance plan to address these potential unauthorized diversions. To date, Mr. Monterosso has not submitted a compliance plan. Still, he has been in regular communication with Division staff to pursue compliance. Currently, the most concerning reservoirs subject to this investigation are Lake Ramona, MP3, MP4, and MP2 (Figure 1).

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

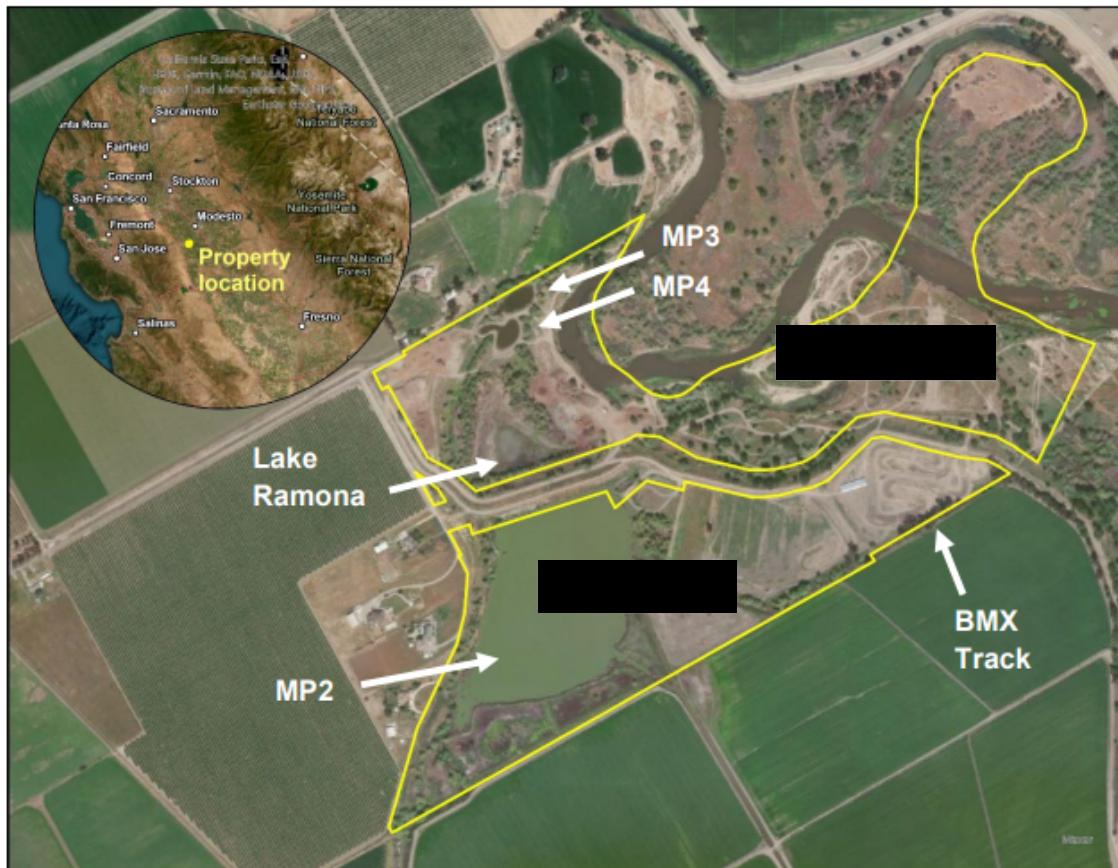


Figure 1. Reservoirs and Parcels Subject to the Investigation

The ROI was written with the presumption that the water stored in the reservoir identified as MP2 belonged to Mr. Monterosso. After further review and discussions with Mr. Monterosso and Twin Oaks Irrigation Company (TOIC), staff have determined that the water stored in MP2 is owned by TOIC. Further investigation by staff revealed that TOIC does not have the authorization to collect water to storage under its current water rights (License 1064).

### **Violations**

Staff have reviewed aerial imagery from 2025 and have determined that:

- Lake Ramona appears to have been drained
- MP2 is still storing water
- It is unclear if MP3 is storing water
- MP4 is still storing water

The purpose of this Notice is to inform both Mr. Monterosso and TOIC that seasonal storage of water diverted from the San Joaquin River within these reservoirs is an unauthorized diversion. Continued diversion and use of water without a valid alternative basis of right is unauthorized and may be subject to enforcement action under Water

Code section 1052. The Division may assess an Administrative Civil Liability (ACL) penalty, issue a Cease-and-Desist Order (CDO), or both if no action is taken.

### **Corrective Actions – Mr. Monterosso**

- Render the ponds (Lake Ramona, MP3, and/or MP4) incapable of storing jurisdiction water and provide evidence of such to Division of Water Rights (DWR) staff within 180 Days. Or,
- Submit an application for Livestock Stockpond Use Registration within 90 Days for any ponds that will remain in use.
  - [Link For Registration](#)

### **Corrective Actions - TOIC**

- Within 90 days of this letter, submit a compliance plan to DWR staff that indicates how unauthorized diversions of water sourced from the San Joaquin River from within MP2 will be prevented.
  - If appropriate (see below), water could be allowed to drain directly into the San Joaquin River from the pond through an outlet pipe or similar infrastructure.

### **Additional Information**

Filing an application to appropriate water does not guarantee a water right will be granted. If you wish to modify the levee to install outlet pipes for the large reservoirs to permanently render them incapable of storing water, or if you wish to remove any dams or berms to permanently render smaller ponds on the subject property permanently incapable of storing water, you should first consult with:

- Stanislaus County Public Works,
- California Department of Fish and Wildlife (CDFW), Region 4/ Central Region,
- Department of Water Resources – Division of Flood Management,
- Regional Water Quality Control Boards, Central Valley/ Region 5, and/or the
- Army Corps of Engineers, Sacramento District.

Consultation with the agencies listed above is needed to ensure you prevent potential water quality issues and sediment transport into San Joaquin River as these agencies have jurisdiction over potential grading permits, work within lakes or streambeds, the removal of dams constructed in stream channels, waters of the United States, and the Clean Water Act. The above list of agencies is not necessarily exclusive. Consultation with additional agencies may be needed.

If you have any questions, please contact Christine Chen via phone at (916) 341-5866 or via email at [Christine.Chen@Waterboards.ca.gov](mailto:Christine.Chen@Waterboards.ca.gov). Written correspondence should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Christine Chen, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex S. Sweat".

Alex Sweat  
Acting Supervisor  
Central Coast and Southern California Enforcement Unit  
Division of Water Rights

cc: **Office of Enforcement**

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