



---

## State Water Resources Control Board

October 10, 2023

CERTIFIED MAIL

Rafael De Loera Carrillo and Maria Carolina Rosales Escareno

CERTIFIED MAIL NO: 7020 2450 0001 1783 3490

### NOTICE OF VIOLATION

Investigation ID: 15077

#### **DIVISION OF WATER RIGHTS INSPECTION OF MENDOCINO COUNTY ASSESSOR PARCEL NUMBER (APN) 034-340-04-00**

Rafael De Loera Carrillo and Maria Carolina Rosales Escareno,

On August 22, 2023, staff from the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), in coordination with state and local partner agencies conducted an inspection of the property referenced above (Property). The purpose of the inspection was to observe the diversion and use of water occurring on the Property and to evaluate potential impacts to the watershed. Division staff observed water hauling as the sole source of water in use on the Property.

You are identified as the property owner for Mendocino County Assessor Parcel Number (APN) 034-340-04-00. This Notice of Violation (NOV) provides you notice that at the time of inspection of the Property Division staff found violations of the California Water Code (Water Code) and the State Water Board's Cannabis Cultivation Policy (Policy) requirements. The purpose of this letter is to gather information, and to inform you of your regulatory compliance options and the potential for administrative enforcement action. This NOV is your notice that you are in violation of the Water Code and Policy. You must take immediate action to come into compliance or risk civil liability.

On August 22, 2023, Division staff found the following violations of a Principle, Guideline, or Requirement established in the State Water Board's Cannabis Cultivation Policy, Attachment A, pursuant to Water Code section 13149:

---

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1. **Cannabis Cultivation Policy, Section 2, Term 92** - Water Storage Facility Without Device to Prevent Water Overflow.
2. **Cannabis Cultivation Policy, Section 2, Term 93** - Failure to Secure Tank Openings to Prevent Entry and Entrapment of Wildlife.
3. **Cannabis Cultivation Policy, Section 2 Term 94** - Failure to make available all water hauling records for a minimum of five years.
4. **Cannabis Cultivation Policy Section 2, Term 98** – Failure to Maintain Daily Records of Water Use for Cannabis Irrigation.

You must also send photographic proof and/or other documentation that supports your corrective actions taken for all violations. You can submit your documents through the State Water Board's Cannabis Compliance Response Portal referenced at the end of this NOV.

This NOV is your notice of the above-mentioned Water Code and Policy requirements. Your response to the allegations listed in this NOV is required and should be submitted in 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 NOV in determining whether and to what extent civil liability is appropriate for violations. Therefore, this matter requires your immediate attention.

To facilitate your response, we are providing you with an investigation identification number (Investigation ID.), which you can use to respond electronically. You can also contact Division staff by phone or by email provided at the bottom of this NOV. To respond electronically, follow the steps provided below.

- 1) Go to the State Water Board's Cannabis Cultivation Programs Portal at: <https://public2.waterboards.ca.gov/CGO/>.
- 2) Register or login to your account.
- 3) Under "Survey" click "New" for the "Division of Water Rights - Cannabis Compliance Response Portal."
- 4) When you fill out your response use APN **034-340-04-00** and Investigation ID **15077**.

You can submit an appropriate water right SIUR application at:

<https://public2.waterboards.ca.gov/cgo>. Need Help? Contact us by phone at 916- 341- 5362 or by email at [dwr.cannabisenforcement@waterboards.ca.gov](mailto:dwr.cannabisenforcement@waterboards.ca.gov).

If you have any questions regarding this matter, please contact Zach Gomer at (916) 323-0359 or [zachary.gomer@waterboards.ca.gov](mailto:zachary.gomer@waterboards.ca.gov). Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Zach Gomer, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,

ORIGINAL SIGNED BY:

Zach Gomer  
Water Resource Control Engineer  
Cannabis Enforcement Unit 1  
Division of Water Rights

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

Taro Murano  
[Taro.Murano@waterboards.ca.gov](mailto:Taro.Murano@waterboards.ca.gov)

Stormer Feiler  
[Stormer.Feiler@waterboards.ca.gov](mailto:Stormer.Feiler@waterboards.ca.gov)

Laura Cunningham  
[Laura.Cunningham@Waterboards.ca.gov](mailto:Laura.Cunningham@Waterboards.ca.gov)

Cannabis Registration Unit  
[DWR-cannabisreg@waterboards.ca.gov](mailto:DWR-cannabisreg@waterboards.ca.gov)

**Department of Fish and Wildlife**

Justin Rhoades  
[Justin.Rhoades@wildlife.ca.gov](mailto:Justin.Rhoades@wildlife.ca.gov)

Grace Nunn  
[Grace.nunn@wildlife.ca.gov](mailto:Grace.nunn@wildlife.ca.gov)

Paul Garrison  
[Paul.garrison@wildlife.ca.gov](mailto:Paul.garrison@wildlife.ca.gov)

Kari Gahan  
[Kari.gahan@wildlife.ca.gov](mailto:Kari.gahan@wildlife.ca.gov)

**North Coast Regional Water Quality Control Board**

[Northcoast.Cannabis@waterboards.ca.gov](mailto:Northcoast.Cannabis@waterboards.ca.gov)

Brian Fuller  
[Brian.fuller@waterboards.ca.gov](mailto:Brian.fuller@waterboards.ca.gov)

**Mendocino County Sheriff's Office**

Clint Wyant  
[wyantc@mendocinocounty.org](mailto:wyantc@mendocinocounty.org)

**Mendocino County Cannabis Program**  
[cannabisprogram@mendocinocounty.org](mailto:cannabisprogram@mendocinocounty.org)

**Mendocino County Code Enforcement**  
Trent Taylor  
[taylor@mendocinocounty.org](mailto:taylor@mendocinocounty.org)

**Mendocino Agricultural Commissioner**  
Harinder Grewal  
[grewalh@mendocinocounty.org](mailto:grewalh@mendocinocounty.org)

**Department of Cannabis Control**  
Jamie Masuda  
[Jamie.masuda@cannabis.ca.gov](mailto:Jamie.masuda@cannabis.ca.gov)

Lindsay Rains  
[Lindsay.Rains@cannabis.ca.gov](mailto:Lindsay.Rains@cannabis.ca.gov)

Erin Wonder  
[Erin.Wonder@cannabis.ca.gov](mailto:Erin.Wonder@cannabis.ca.gov)

**CalEPA Office of the Secretary**  
Hasti Javid  
[Hasti.javid@calepa.ca.gov](mailto:Hasti.javid@calepa.ca.gov)