



Enforcement News

State Water Board Revokes Water Right License for Failure to Report Annual Diversions

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SACRAMENTO - The State Water Resources Control Board, acting through the Delta Watermaster, recently revoked a water right license of a Delta landowner for repeated failure to file annual diversion and use reports in violation of the terms and conditions of the license.

Following a 2017 investigation, the Delta Watermaster issued an administrative civil liability complaint alleging that Lamb Gianelli Family Limited Partnership had failed to file required reports of annual diversion and use of water by the applicable deadline. The Delta Watermaster and Lamb Gianelli reached a settlement agreement without the need for a hearing before the State Water Board.

“Lamb Gianelli repeatedly failed to file timely reports of annual water use despite our frequent reminders, offers of assistance and enforcement actions to induce compliance,” said Delta Watermaster Michael George. “That failure to comply with the terms of the license resulted in this revocation action.”

Pursuant to the settlement agreement, which was confirmed by a State Water Board [Settlement Decision Order WR 2019-0033-DWM](#), Lamb Gianelli has paid a \$20,000 penalty and did not contest the revocation of the portion of the water right license it owned. The license, with a priority date of 1926 (when the license was requested), had been issued in 1943 following confirmation of water availability and subsequent construction and inspection of diversion facilities. The portion of the license benefitting the Lamb Gianelli property has now been revoked via [Order Partially Revoking Water Right WR 2019-0034-DWM](#). [View this map of the area in which the license has been revoked.](#)

All surface water diverters are required by the terms of their water right license, State Water Board regulations (23 CCR §920), and/or the Water Code (§5101) to report their water diversion and use annually. For more information regarding the State Water Board’s annual diversion and use reporting procedures, [visit the Annual Water Use Reporting Requirements for Water Right Holders webpage.](#)

[The Office of the Delta Watermaster](#) was created by the Delta Reform Act of 2009 with statutory and delegated authority to administer water rights in the Delta, including the enforcement of complex conditions for diversion and use of water. The Delta Watermaster is appointed for a four-year term by the State Water Board with the approval of the Delta Stewardship Council. The position reports jointly to the Board and the Council.

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