
State Water Resources Control Board

POST-HEARING ORDER

The State Water Resources Control Board
Administrative Hearings Office
held a Public Hearing on the
Administrative Civil Liability Complaint
Issued by the Assistant Deputy Director of the
Division of Water Rights Permitting & Enforcement Branch
under Water Code section 1055
against

Griset Farms (“Respondent”) (Water Right IDs SG005923, SG005924).

The background information, purpose of hearing, hearing issues and related information are discussed in the April 8, 2022 Notice of Public Hearing and are not repeated here. Except as expressly stated in this notice, all provisions of the April 8 notice and the May 13, 2022 Notice of Assignment of New Hearing Officer remain in effect.

The State Water Resources Control Board (“State Water Board”) Administrative Hearings Office (“AHO”) held public hearings in this proceeding on May 19 and June 2, 2022.

The AHO directs the parties to file written closing briefs that address the following issues:

- 1) Did the Deputy Director for the State Water Board’s Division of Water Rights issue a curtailment order to Respondent under California Code of Regulations, title 23, division 3, chapter 2, article 23.5 (sections 875-875.9)?
- 2) Did the Respondent submit, under penalty of perjury, within seven calendar days of the date of the curtailment order, a certification, as described in California Code of Regulations, title 23, section 875.6?
- 3) Did Respondent violate a State Water Board regulation or order that requires the Respondent to file a certification, as stated under California Code of Regulations, title 23, section 875.6?
- 4) If Respondent violated a State Water Board regulation or order, should the AHO hearing officer impose administrative civil liability on Respondent?

- 5) If the State Water Board decides to impose administrative civil liability on Respondent, what is the appropriate amount of such administrative civil liability?¹
- 6) Were any of the pumping of Respondent's wells and uses of the water pumped by these wells authorized by overlying groundwater rights? If so, which pumping and uses were authorized by overlying groundwater rights?
- 7) If some or all of the pumping of Respondent's wells and uses of the water pumped by these wells were authorized by overlying groundwater rights, should that conclusion affect the Board's decisions on issues 1) through 5) above?

Each party's brief shall be no longer than 10 pages, double-spaced. Each party shall upload a pdf file of its closing brief to the party's Upload Folder, using the same method the parties used to upload their hearing exhibits. Parties shall upload their closing briefs on or before **June 16, 2022, at 1:00 p.m.** After this deadline, AHO staff will move these files to the AHO Download Folder for this proceeding and notify the parties that the AHO has moved these files.

Parties do not need to serve copies of their closing briefs on the other parties, but each party shall send an e-mail to the AHO, with cc's to everyone on the service list for this proceeding, advising the AHO when the party has uploaded its closing brief.

June 3, 2022
Date

s/s ALAN B. LILLY
Alan B. Lilly
Presiding Hearing Officer

Enclosure:

- Service List (copies sent by e-mail only, except as indicated otherwise)

¹ Water Code section 1055.3 and Water Code section 1848, subdivision (d), provide that, in determining the amount of civil liability, the Board shall take into consideration all relevant circumstances, including, but not limited to: (a) the extent of harm caused by the alleged violation; (b) the nature and persistence of the alleged violation; (c) the length of time over which the alleged violation occurred; and (d) the corrective actions, if any, taken by the violator.

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