



Enforcement News

Byron-Bethany Irrigation District Served with Draft Administrative Civil Liability, \$1.5 Million Penalty

First senior water right enforcement action in 2015

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Contact: George Kostyrko
George.Kostyrko@waterboards.ca.gov

SACRAMENTO – The State Water Resources Control Board today issued a draft Administrative Civil Liability Complaint to Byron-Bethany Irrigation District for unauthorized diversion and use of water, and has proposed a \$1.5 million penalty for the alleged violations. This allegation is the first such enforcement complaint for a senior water right holder in 2015, related to drought conditions.

Byron-Bethany Irrigation District, located in Byron, has a pre-1914 right of May 1914 to draw water from the intake channel at the Banks Pumping Plant in Contra Costa County formerly known as Italian Slough. On June 12, 2015, the State Water Board notified all pre-1914 appropriative right holders with a priority date of 1903 or later in the Sacramento-San Joaquin watersheds and Delta that there was insufficient supply available to meet the needs of all water right holders, and that water was no longer available for diversion under their right.

Diversion records kept by the Department of Water Resources and posted to the California Data Exchange Center indicate that Byron-Bethany continued to divert water until approximately June 25, despite knowing from June 12 that water was no longer available under its priority of right.

The proposed Administrative Civil Liability is based on the enhanced drought penalty structure approved by the Legislature and signed by Governor Edmund G. Brown Jr. in 2014.

Byron-Bethany Irrigation District may request a hearing before the State Water Board within 20 days of receiving the draft complaint. If the District does not request a hearing, the State Water Board intends to adopt the Administrative Civil Liability Order.



The State Water Board has committed significant resources to ensuring the water rights priority system is maintained during the drought. In 2015, as in 2014, the State Water Board informed more than 5,000 water right holders that there is not enough water to meet their needs and has committed staff resources to conduct field inspections once again.

For more on Byron-Bethany Irrigation District's draft Administrative Civil Liability Complaint, see the documents on the Division of Water Rights [enforcement webpage](#).

For more than two years, California has been dealing with the effects of drought. To learn about all the actions the state has taken to manage our water system and cope with the impacts of the drought, visit [Drought.CA.Gov](#).

Every Californian should take steps to conserve water. Find out how at [SaveOurWater.com](#).

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