

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

ORDER WR 2009-0036-EXEC

In the Matter of the Diversion and Use of Water by

North Gualala Water Company

SOURCE: North Fork Gualala River tributary to Gualala River thence Pacific Ocean

COUNTY: Mendocino

**ORDER APPROVING SETTLEMENT AGREEMENT
AND IMPOSING TERMS FOR CEASE AND DESIST**

BY THE EXECUTIVE DIRECTOR¹

1.0 INTRODUCTION

This matter comes before the Executive Director of the State Water Resources Control Board (State Water Board or Board) following the issuance of a draft Cease and Desist Order (CDO) and an Administrative Civil Liability (ACL) complaint to the North Gualala Water Company (North Gualala). In accordance with the attached Stipulation and Settlement Agreement, the State Water Board's Division of Water Rights prosecution team (Prosecution Team) and North Gualala have agreed to settle this matter in lieu of proceeding to a hearing. The issuance of a decision or order pursuant to a settlement agreement is authorized under Government Code section 11415.60. The settlement is approved.

2.0 BACKGROUND

On August 26, 1964, North Gualala filed Application 21883 with the Division of Water Rights (Division). North Gualala sought to directly divert water at a rate of 2 cubic feet per second (cfs) year-round from the North Fork Gualala River. The water would be used for municipal purposes. North Gualala holds water right Permit 14853, which was issued pursuant to Application 21883.

¹ State Water Board Resolution No. 2002 - 0104 delegates to the Executive Director the authority to issue a decision or order by settlement of the parties under Government Code section 11415.60.