

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

DIVISION OF WATER RIGHTS

ORDER WR 2016-0005-DWR

ORDER APPROVING SETTLEMENT

In the Matter of the Violation of an Emergency Regulation
for Failure to Submit Information of Water Diversion and Use by

**PARTIES LISTED IN ATTACHMENT A
(MILL CREEK WATERSHED)**

BY THE ASSISTANT DEPUTY DIRECTOR FOR WATER RIGHTS¹

The Assistant Deputy Director for the Division of Water Rights of the State Water Resources Control Board (State Water Board) issued an [Administrative Civil Liability Complaint](#) (Complaint) to the parties listed in Attachment A (collectively "Parties") for failure to fulfill obligations under State Water Board Order WR 2015-0026-DWR² on December 15, 2015. Between December 17, 2015 and January 22, 2016, the Parties signed the Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Conditional Settlement). Between December 15, 2015 and January 22, 2016, the Parties submitted water use and supply information to the State Water Board.

The circumstances here support accepting the Conditional Settlement, as the State Water Board has received the water use and supply information and the signed Conditional Settlement.

I hereby approve the Conditional Settlement pursuant to my delegated authority. This approval shall not limit the authority of the Executive Director or the Deputy Director for Water Rights, as delegated, to initiate enforcement action for any violations not specified in the Complaint, or for violation of the terms of the Conditional Settlement.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

John O'Hagan
Assistant Deputy Director for Water Rights

Dated: January 27, 2016
Attachment A: List of Parties

¹ Water Code section 1055, subdivision (a), provides that the Executive Director of the State Water Board may issue a complaint to any person or entity on whom Administrative Civil Liability (ACL) may be imposed. The Executive Director has delegated this authority to the Deputy Director for Water Rights, who has redelegated this authority to the Assistant Deputy Director for Water Rights. State Water Board [Resolution No. 2012 - 0029](#) authorizes the Deputy Director for Water Rights to issue an order imposing an ACL when a complaint has been issued and no hearing has been requested within 20 days of receipt of the complaint. The Deputy Director for Water Rights has redelegated this authority to the Assistant Deputy Director for Water Rights pursuant to State Water Board Resolution 2012-0029.

² State Water Board [Order WR 2015-0026-DWR](#): *Order for Additional Information in the Matter of Diversion of Water from the Dutch Bill Creek, Green Valley Creek, portions of Mark West Creek, and Mill Creek Watersheds as defined in California Code of Regulations, Title 23, Section 876(c)(1)* – Issued August 24, 2015.

Attachment A: List of Parties
Order WR 2016-0005-DWR

<u>Party (Last Name, First Name)</u>	<u>Identification Code(s)</u>
LOLA ANN BORING	110-190-001-000
MICHAEL A FILICE	110-330-037-000
HAROLD E & BARBARA LOBATO	110-260-014-000
EMILY M MACHI	110-050-015-000, 110-050-033-000
OLEG NODELMAN	111-090-047-000
OAK SHADOWS CONSTRUCTION CO INC	111-050-023-000
CHARLES & LISA V PALMER	110-340-003-000
PALMER CREEK PROPERTIES LLC	111-110-015-000, 111-110-034-000, 111-110-035-000
FLORA PARKINSON	111-190-011-000
JUDITH H SWIFT	110-070-027-000
MICHAEL ALLAN THOMPSON	110-150-010-000
WEGER INTERESTS LP	110-330-025-000
WEST SIDE UNION SCHOOL DIST	110-070-002-000, 110-070-003-000

TV

1656

WR 2015-0026-DWR



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: LOLA ANN BORING
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), _____, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

LOLA ANN BORING
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.

Jerry Smith (Trustee)
Signature

12-30-2015
Date

Jerry Smith
Printed or typed name

Cellar Master (Dry Creek Vineyard)
Title

Care giver
(Relationship to Recipient, if not Recipient)

Identification Code(s): 110-190-001-000

Please return the completed Acceptance and Waiver by mail to the address above.

STATE WATER RESOURCES
CONTROL BOARD
2016 JAN -4 PM 3:00
DIV. OF WATER RIGHTS
SACRAMENTO



TV
WR 2015-0026-DWR¹⁶⁶⁸



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: MICHAEL A FILICE
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), Michael Filice, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

MICHAEL A FILICE
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.

Michael A. Filice
Signature

12/23/2015
Date

MICHAEL A. FILICE
Printed or typed name

OWNER -
Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 110-330-037-000

Please return the completed Acceptance and Waiver by mail to the address above.

STATE WATER RESOURCES CONTROL BOARD
2015 DEC 28 PM 4:10
DIVISION OF WATER RIGHTS
SACRAMENTO



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: HAROLD E & BARBARA LOBATO
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), Barbara Lobato, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

HAROLD E & BARBARA LOBATO
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.

Barbara Lobato
Signature

12-30-15
Date

BARBARA LOBATO
Printed or typed name

Owner of Property
Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 110-260-014-000

STATE WATER RESOURCES
CONTROL BOARD
2016 JAN -4 PM 3:23
DIV OF WATER RIGHTS
SACRAMENTO

Please return the completed Acceptance and Waiver by mail to the address above.



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: EMILY M MACHI
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), Emily Machi, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

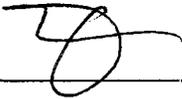
¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

OLEG NODELMAN
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.



Signature

1/4/16

Date

Oleg Nodelman

Printed or typed name

Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 111-090-047-000

Please return the completed Acceptance and Waiver by mail to the address above.

STATE WATER RESOURCES CONTROL BOARD
2016 JAN -8 PM 1:30
DIV. OF WATER RIGHTS
SACRAMENTO



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: OLEG NODELMAN
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), Oleg Nodelman, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.



not Delivered
WRMB owner



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

TV 1671
WR 2015-0026-DWR

State Water Resources Control Board

Name: OAK SHADOWS CONSTRUCTION CO INC
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), _____, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

CHARLES & LISA V PALMER
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights - Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.



Signature

12/30/15
Date

Charles Palmer.
Printed or typed name

Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 110-340-003-000

Please return the completed Acceptance and Waiver by mail to the address above.



Hand mailed



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: PALMER CREEK PROPERTIES LLC
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), Palmer Creek Properties LLC, Joseph Makino - manager, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

Good Earth Properties, LLC
~~PALMER CREEK~~ PROPERTIES LLC
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.

Good Earth Properties, LLC

Joseph Marino, manager
Signature

12-21-2015
Date

JOSEPH MARINO
Printed or typed name

Manager Good Earth Properties, LLC
Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 111-110-015-000, 111-110-034-000, 111-110-035-000

Please return the completed Acceptance and Waiver by mail to the address above.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
2015 DEC 28 PM 4:16



TV
WR 2015-0026-DWR



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: FLORA PARKINSON
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), Don Wilson, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

FLORA PARKINSON
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.

Dow Uрман
Signature

12-31-15
Date

DOW URMAN
Printed or typed name

Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 111-190-011-000

STATE WATER RESOURCES
CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
2016 JAN -4 PM 3:19

Please return the completed Acceptance and Waiver by mail to the address above.

TV
WR 2015-0026-DWR 1653



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: JUDITH H SWIFT
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), JUDITH H SWIFT, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

JUDITH H SWIFT
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.

Judith H Swift
Signature

12/22/15
Date

JUDITH H SWIFT
Printed or typed name

OWNER
Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 110-070-027-000

STATE WATER RESOURCES CONTROL BOARD
2015 DEC 28 PM 4:14
DIVISION OF WATER RIGHTS
SACRAMENTO

Please return the completed Acceptance and Waiver by mail to the address above.



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: MICHAEL ALLAN THOMPSON
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), _____, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

TV

WR 2015-0026-DWR

MICHAEL ALLAN THOMPSON
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.

Mike Thompson
Signature

12-22-15
Date

Mike Thompson
Printed or typed name

Owner
Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 110-150-010-000 ← NO WATER SOURCE

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
2015 DEC 28 AM 10:52

Please return the completed Acceptance and Waiver by mail to the address above.



STATE WATER RESOURCES CONTROL BOARD
2016 JAN 11 PM 12:38
WATER RIGHTS

TV 1666

WR 2015-0026-DWR



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: WEGER INTERESTS LP
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), Weger Interests, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

WEGER INTERESTS LP
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.

Zu Weger
Signature

1-7-2015
Date

Weger Interests, Ltd
Printed or typed name

Mtg Partner
Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 110-330-025-000

Please return the completed Acceptance and Waiver by mail to the address above.



RECEIVED
1/14/16
R3

TV
WR 2015-0026-DWR
1874



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Name: WEST SIDE UNION SCHOOL DIST
Source: Mill Creek Watershed
County: Sonoma

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), West Side Union School Dist., (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient's right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient's obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient's non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient's knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

WEST SIDE UNION SCHOOL DIST
December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Recipient in the making and giving of this Acceptance and Waiver.


Signature

1.5.16
Date

RHONDA BELLMER
Printed or typed name

Supt./Principal
Title

(Relationship to Recipient, if not Recipient)

Identification Code(s): 110-070-002-000, 110-070-003-000

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
2016 JAN -8 PM 1:25

Please return the completed Acceptance and Waiver by mail to the address above.