
State Water Resources Control Board

August 25, 2016

To Whom It May Concern:

Notice of Failure to File 2015 Water Use Report

Water right holders are required to file annual reports of their water diversion and use to the State Water Resources Control Board (State Water Board) using the online Reporting and Management System. The reported diversion data is needed to more accurately analyze the State's water supply conditions to ensure protection of senior water right holders and other instream beneficial uses of water.

The 2015 report of water diversion and use was due no later than July 1, 2016, for all claimants under Statement of Water Diversion and Use and all permit and license holders. The State Water Board previously provided written notification of this requirement to each claimant and water right holder. As of August 23, 2016, we have not received a completed use report for the subject right or claim.

All diverters who fail to submit the required reports are subject to enforcement action, including imposition of an administrative civil liability. Statement holders who fail to file are subject to \$1,000, plus \$500 per day for each additional day after provided notice of the violation (Wat. Code §5107 (c) (1)). Permit and license holders who fail to file are subject to \$500 for each day of violation. (Wat. Code § 1846)

To access the RMS system and report your water use, please visit the following webpage:
<https://rms.waterboards.ca.gov/login.aspx>.

In the interests of obtaining a high compliance rate for online use reporting, the Division of Water Rights (Division) has published a list of parties with deficient 2015 use reports as of August 23, 2016, to our webpage at
http://www.waterboards.ca.gov/waterrights/water_issues/programs/enforcement/docs/plftf2015_082316.pdf
http://www.waterboards.ca.gov/waterrights/water_issues/programs/enforcement/docs/plftf2015_082316.xlsx

Water right holders shown on the lists are currently subject to enforcement action. The State Water Board may use discretion in initiating enforcement, if the required online report is received within 30 days of this notice. Therefore, if your name or water right is shown on the list, you should immediately file the required online report. You should also confirm that your reporting is complete for previous years at this time.

If you are no longer the owner of the water right or claim, please submit a change of ownership request at http://www.waterboards.ca.gov/water_issues/programs/ewrims/ownership/index.php.

If you were the owner of the water right or claim for any part of 2015, please note that you are required to file a use report, even if there was no use. Please file a use report for the months of ownership using the above login credentials.

If you have any questions on the reporting form, please visit our Help webpage at, http://www.waterboards.ca.gov/waterrights/water_issues/programs/ewrims/help.shtml. Phone inquiries should be made at (916) 341-5342. Please do not use other Division phone lines or contacts for such inquiries.

Also, stay informed about the new measurement requirements for your diversion available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_use.shtml.

Sincerely,

A handwritten signature in cursive script that reads "Katherine Mrowka".

Kathy Mrowka
Program Manager
Enforcement Program
Division of Water Rights

Frequently Asked Questions
(More Information Is Available on the Help Page Listed Above)

Question: The reporting system is telling me I have an invalid password.

Answer: Remember that passwords are case sensitive, A012345 is different than a012345. Also, please ensure you are entering a zero "0" instead of the letter "O" after the "A" or "S" in your login.

Question: I don't have a computer.

Answer: There are many options available to those people who do not own a computer or have internet access.

1. Family, friends and neighbors are a good resource to begin with.
2. Libraries, schools or students in your community may be willing to help.
3. Your local Farm Bureau may have resources to help you complete your filing.
4. Important to note: You do not need to file the report yourself. You may give the necessary reporting information to anyone you designate to file on your behalf.

Question: I reduced my water use during drought. If I fill out the form, will my water right be at risk?

Answer: Water conservation was relied upon during the drought to stretch limited water resources. Water conservation measures taken during drought do not expose a water right to risk of loss through non-use. There is a section on the form to identify your water conservation.

Question: I have multiple water rights. How should I record my water use?

Answer: Water use is always credited to the most senior, valid water right first. You will need to check the diversion seasons and quantities of diversion allowed under each water right; then fill out the form based on the seniority of the water rights. It is inappropriate to record the same quantities under multiple water rights or claimed rights. It is also inappropriate to record contract water deliveries that you receive from another entity as diversions under your separately held water right.

Question: I don't want to file unless you send me a paper form.

Answer: There is no longer an option to file your report by paper. In the past, paper reports were only checked for submission status and not for content. By requiring online reporting, the State Board can meet legislative requirements to report overall water use within the State.

If you still cannot file electronically, please send a letter with a full explanation why you cannot electronically file to:

***State Water Board
Division of Water Rights
Attn: Eloise Berryman
PO Box 2000
Sacramento, CA 95814***