



## State Water Resources Control Board

August 22, 2025

Marisela Adaimy

CERTIFIED MAIL NO: 9589 0710 5270 0211 8912 03

### NOTICE OF VIOLATION

#### DIVISION OF WATER RIGHTS INVESTIGATION OF TRINITY COUNTY ASSESSOR PARCEL NUMBER (APN) 019-040-004-000

Marisela Adaimy,

On August 6, 2025, staff from the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), in coordination with state and local partner agencies conducted a search warrant investigation of your property referenced above (Property). The purpose of the investigation was to observe the diversion and use of water occurring on the Property and to evaluate potential impacts to the watershed. At the time of investigation, Division staff identified that you are using ground water for cannabis cultivation and are required to comply with the Cannabis Cultivation Policy (Cannabis Policy) terms and conditions as identified below. You must take immediate action to come into compliance or risk civil liability.

#### **Cannabis Policy Violations and Corrective Actions**

WC Section 13149: Violations of a Principle, Guideline, or Requirement established in the State Water Board's Cannabis Policy, Attachment A., pursuant to WC section 13149:

WC section 1847, subdivision (a), provides that any person or entity committing a violation of the above referenced requirement may be liable in an amount not to exceed the sum of five hundred dollars (\$500), plus two hundred fifty dollars (\$250) for each additional day on which the violation continues if the person fails to correct the violation within 30 days after the board has called the violation to the attention of that person, plus two thousand five hundred dollars (\$2,500) for each acre-foot of water diverted or used in violation of the applicable requirement.

This letter constitutes your notice of the above-mentioned WC and Policy requirements and violations identified below. Your response to the allegations listed in this notice is required and should be submitted in a timely manner. The State Water Board has discretion when considering an enforcement action and shall consider your corrective

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

actions taken in response to this notice in determining whether and what civil liability is appropriate for violations. Therefore, this matter requires your immediate attention.

**1. Cannabis Cultivation Policy, Section 2, Term 92 - Water Storage Facility Without Device to Prevent Water Overflow.**

**Violation Description:**

At the time of the August 6, 2025, inspection, Division staff documented POS1 (Tank 1), POS2 (Tank 2), POS5 (Tanks 7-10) without a float valve or similar device installed to prevent the overflow and waste of water. The failure to have float valves or similar device installed at these POS constitutes five violations of Term 92 of Section 2 of the Cannabis Policy.

**Corrective Action:**

You should immediately take either corrective actions 1 or 2 to comply with the Cannabis Policy's storage overflow requirements for, but not limited to POS1 (Tank 1), POS2 (Tank 2), POS5 (Tanks 7-10):

- 1) You must install float valves or other equivalent device to shut off a diversion when the storage system is full, OR
- 2) You must cease diverting water to POS1 (Tank 1), POS2 (Tank 2), POS5 (Tanks 7-10) for cannabis cultivation.

You must also submit photographic proof and/or other documentation that supports your corrective actions taken whether you choose compliance option 1 or 2. You can submit your documents through the State Water Board's Cannabis Compliance Response Portal referenced at the end of this document.

**2. Cannabis Cultivation Policy Section 2, Term 93 – Failure to Secure Tank Openings to Prevent Entry and Entrapment of Wildlife.**

**Violation Description:**

At the time of the August 6, 2025, inspection, Division staff observed storage tanks in use at the Property located at POS5 (Tank 8 and 9 -white tanks-), without tank lid installed as required by the Cannabis Policy to prevent wildlife entrapment.

**Corrective Action:**

As of the Division's inspection's date on August 6, 2025, and the date of this document, this alleged violation continues to be ongoing. You should immediately take corrective actions listed below:

- 1) You must install and maintain tank covers over the tops of POS5 (Tank 8 and 9),  
**OR**

2) You must cease diverting water to POS5 (Tank 8 and 9), for cannabis cultivation, and maintain your tank closed to the environment which includes maintaining the top cover of your tanks if they will no longer be in use.

You must also submit photographic proof and/or other documentation that supports your corrective actions taken whether you choose compliance option 1 or 2. You can submit your documents through the State Water Board's Cannabis Compliance Response Portal referenced at the end of this document.

**3. Cannabis Cultivation Policy Section 2, Term 98 – Failure to Maintain Daily Records of Water Use for Cannabis Irrigation.**

**Violation Description:**

POU1 is documented cannabis cultivation areas. At the time of inspection, Division staff did not observe any cannabis irrigation records nor any water measuring devices at any POU. This is your notice that the State Water Board is requesting your daily records of water use for cannabis irrigation. The failure to measure water use for cannabis irrigation and make cannabis irrigation records available constitutes one violation of Term 98 of Section 2 the Cannabis Policy.

**Corrective Action:**

As of the date of this inspection document, this alleged violation continues to be ongoing. You should within 30 days from the date of this document take either corrective actions 1 or 2 to comply with the Cannabis Policy's cannabis irrigation record requirements for POU1 to quantify all water use on the Property:

- 1) You must send the Division all records required to support that you are in compliance with Term 98, OR
- 2) You must cease your water diversions for cannabis cultivation.

You must also submit photographic proof and/or other documentation that supports your corrective actions taken whether you choose compliance option 1 or 2. You can submit your documents through the State Water Board's Cannabis Compliance

**4. Reservoir on property – Request for information.**

**Description:**

During the inspection of the property, a reservoir was observed (pictures below) located at the property (40.43156, -123.2154). In accordance with state regulations, you are required to provide documentation regarding the reservoir's construction, usage, and any future plans for its utilization. This includes, but is not limited to, photographs, details on its intended or current use, and any associated infrastructure, such as water lines and diversion systems.

Please provide specific information in the following topics:

Reservoir Construction & Design

1. When was the reservoir constructed?
2. Can you provide any construction documents, permits, or approvals related to the reservoir?
3. What is the estimated storage capacity of the reservoir (in acre-feet)?
4. Was the reservoir constructed with the intent to store water for irrigation, municipal, or other uses?

Water Source & Rights

5. Do you currently hold any water rights for the diversion or storage of water in the reservoir? If so, can you provide documentation of those rights?
6. Have you been in contact with the SWRCB or any other regulatory agencies about the water diversion and usage associated with this reservoir?
7. Has water been withdrawn from the reservoir for any specific purposes (e.g., irrigation, domestic use, livestock, recreational or industrial use)?

Current Usage

8. How is the water from the reservoir currently being used? (e.g., irrigation, fire protection, domestic use, etc.)
9. Do you use water from the reservoir for cannabis cultivation or other commercial purposes?
10. Do you have a system in place to monitor and measure water diversion into and withdrawals from the reservoir?

Future Intentions

11. Are you planning to use the reservoir more intensively in the future? (e.g., increasing water demand for new crops, livestock, etc.)
12. Are there any plans to sell or lease the water stored in the reservoir for commercial or non-commercial purposes?
13. Are there any future projects or developments that may alter how the reservoir or its water is used?

You are required to submit the requested information within 30 days from the date of this notice. Failure to provide the requested documentation may result in further enforcement action. Please send all relevant details to the contact information provided below.

**Instructions for Demonstrating and Achieving Compliance**

To facilitate your response, you must contact Division staff by phone or by email provided at the bottom of this notice letter.

You can submit an appropriate water right SIUR application at:

<https://public2.waterboards.ca.gov>

Need Help? Contact us at 916-341-5362 or email at [dwr.cannabisenforcement@waterboards.ca.gov](mailto:dwr.cannabisenforcement@waterboards.ca.gov).

If you would like to file an application to appropriate water by permit you can find information and file your application at the weblink listed at:

Application:

<https://public2.waterboards.ca.gov/mt/Home/Index>

Appropriate water by permit information:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/applications/](https://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/)

Information relating to the filing of a Statement can be found at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/docs/nti\\_stmnt\\_form.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/docs/nti_stmnt_form.pdf).

Information on the Cannabis SIUR and Cannabis Policy is available here:

[https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/cannabis\\_water\\_rights.html#siur](https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_rights.html#siur)

### **Requirements of Operating a Surface Water Diversion**

At the time of inspection, Division staff also identified an unnamed stream on your property and is putting you on notice regarding the requirements of operating a surface water diversion should you do so in the future.

#### WC section 1052:

A diversion of water subject to the State Water Board's permitting authority without a basis of right is an unauthorized diversion or use of water. An unauthorized diversion or use of water constitutes a trespass against the State, and the State Water Board may impose a civil liability in an amount not to exceed \$500, and up to \$3500 per day for each day that the unauthorized diversion or use of water occurs when used for cannabis irrigation. (WC § 1052, et seq.)

#### Water Code section 5101:

Water Code section 5101 requires each person who diverts water to file with the State Water Board a statement of his or her diversion and use (Statement) according to the following deadlines:

Where the diversion of water takes place after September 30, 2021, the Statement shall include records of diversions during the period from October 1 of each year through September 30, inclusive of the following year. Statements of diversion and use shall be filed before February 1 of the year after the one-year period (Oct. 1 – Sept. 30).

If you begin to divert water from any stream, a Statement must be filed prior to February 1 of the succeeding year. The State Water Board may administratively impose a civil liability in the amount of \$1,000 for the failure to file a Statement for each point of diversion that has occurred since 2009, plus \$500 per day for each additional day on which the violation continues if the person fails to file a Statement within 30 days after the State Water Board calls the violation to the attention of that person pursuant to Water Code section 5107(c)(1).

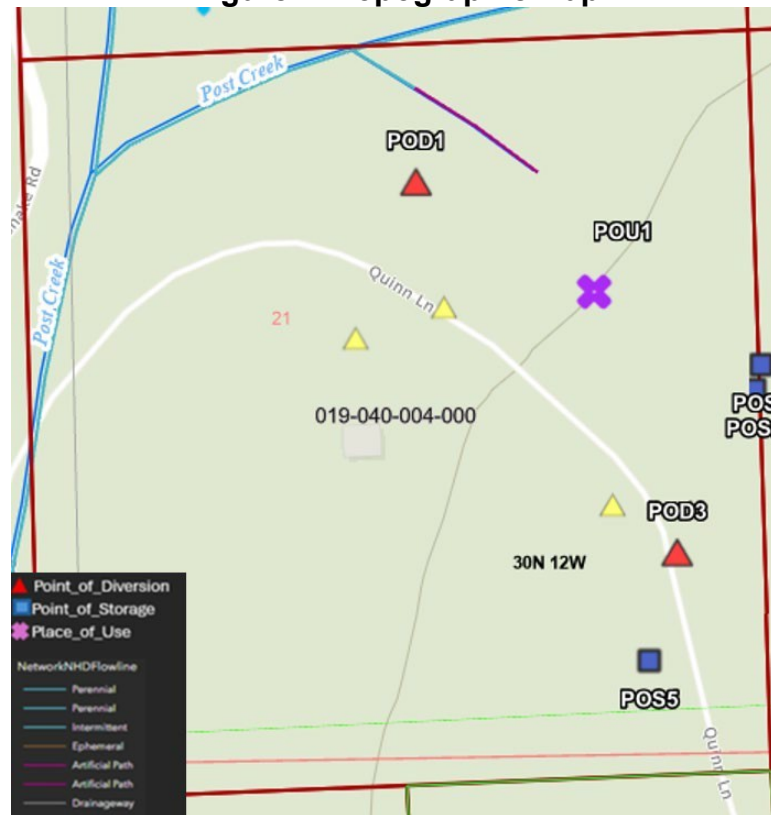
If you have multiple diversion locations (i.e., you divert water from a stream from multiple locations or divert water by use of a dam), a separate Statement is required to be filed for each diversion location. If you have any questions about how many diversion points your water infrastructure uses, please contact the Division at the phone number or email provided below.

If you have any questions regarding this matter, please contact Jessica Monroy at (916) 917-3456 or via e-mail at [Jessica.Monroy@waterboards.ca.gov](mailto:Jessica.Monroy@waterboards.ca.gov). Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Jessica Monroy, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,

ORIGINAL SIGNED BY:

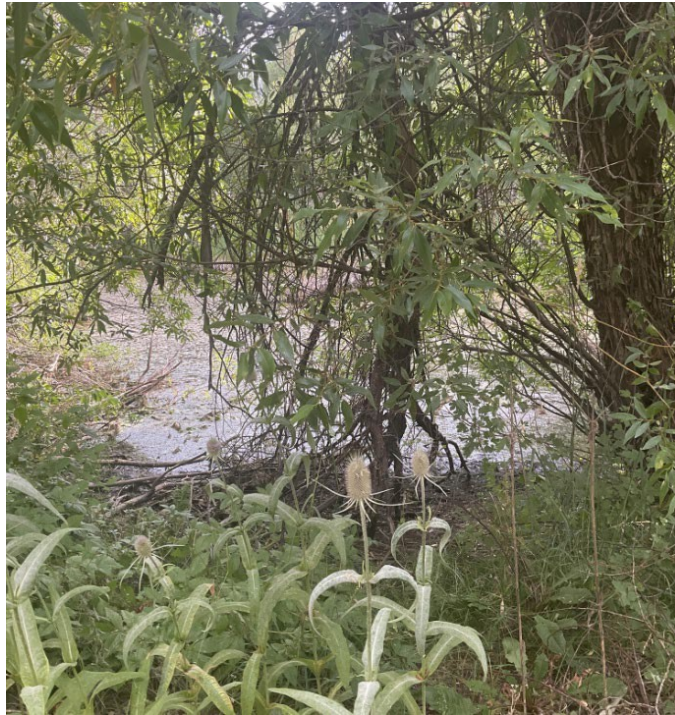
Jessica A. Monroy  
Environmental Scientist  
Cannabis Enforcement Section Unit 1  
State Water Resource Control Board  
Division of Water Rights

**Figure 1: Topographic Map**



**Figure 2: Aerial Imagery Map****Reservoir Pictures:**







**ec: Division of Water Rights**

Roberto Cervantes

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Taro Murano

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Stormer Feiler

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Laura Cunningham

[Laura.Cunningham@waterboards.ca.gov](mailto:Laura.Cunningham@waterboards.ca.gov)

Cannabis Registration Unit

[DWR-cannabisreg@waterboards.ca.gov](mailto:DWR-cannabisreg@waterboards.ca.gov)

**State Water Board Office of Enforcement**

Heather Jidkov

[Heather.Jidkov@waterboards.ca.gov](mailto:Heather.Jidkov@waterboards.ca.gov)

**Department of Fish and Wildlife**

Captain Doug Willson

[Douglas.Willson@wildlife.ca.gov](mailto:Douglas.Willson@wildlife.ca.gov)

Lt. Brendan Lynch

[Brendan.Lynch@wildlife.ca.gov](mailto:Brendan.Lynch@wildlife.ca.gov)

Region 1 CEP

[R1cepredding@wildlife.ca.gov](mailto:R1cepredding@wildlife.ca.gov)

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**North Coast Regional Water  
Quality Control Board**

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**Trinity County District Attorney**  
David Brady  
[DBrady@trinitycounty.org](mailto:DBrady@trinitycounty.org)

**Trinity County Code Enforcement**  
Kristalynne Anderson  
[KAnderson@trinitycounty.org](mailto:KAnderson@trinitycounty.org)

Rikki Townzen  
[Rtownzen@trinitycounty.org](mailto:Rtownzen@trinitycounty.org)

**Trinity County Cannabis Program** Drew  
Plebani, Director Cannabis Division  
[Dplebani@trinitycounty.org](mailto:Dplebani@trinitycounty.org)

Daniel Marvel  
[Dmarvel@trinitycounty.org](mailto:Dmarvel@trinitycounty.org)

**Trinity County Sheriff's Office**  
Sergeant Nate Trujillo  
[Ntrujillo@trinitycounty.org](mailto:Ntrujillo@trinitycounty.org)

Sergeant Joshua Ford  
[Jford@trinitycounty.org](mailto:Jford@trinitycounty.org)

Deputy Justin Hayslett  
[Jhayslett@trinitycounty.org](mailto:Jhayslett@trinitycounty.org)

**Department of Cannabis Control**  
Jose Barajas  
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