State Water Resources Control Board

October 14, 2026

CERTIFIED MAIL

In Reply Refer to:
INV ID 70860

Pedro Rico & Rico Family Trust

CERTIFIED MAIL NO: 9589 0710 5270 1738 1292 99

Dear Pedro Rico and Rico Family Trust:

NOTICE OF VIOLATION FOR UNAUTHORIZED DIVERSION AND FAILURE TO FILE A STATEMENT OF WATER DIVERSION AND USE FOR SHASTA COUNTY ASSESSOR PARCEL NUMBERS (APNS)099-370-029-000, 099-370-028-000, 099-370-053-000, 099-370-054-000, 099-370-022-000, and 099-370-044-000.

The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) received information from the California Department of Fish and Wildlife alleging that you are diverting surface water for cannabis cultivation. You cannot divert water during the Cannabis Cultivation Policy's forbearance period of April 1 – October 31, nor can you divert water to storage without an appropriative water right issued by the State Water Board.

You are identified as the owner of the property referenced above. The Division is contacting you to provide you notice that you are in violation of the California Water Code (WC) and the State Water Board's Cannabis Cultivation Policy (Policy) requirements. The purpose of this letter is to gather information, provide you notice that your diversion of water is subject to the State Water Board's permitting authority, and to inform you of your regulatory compliance options, or risk administrative civil liability. This letter is your notice that you are in violation of the WC and Policy. You must take immediate action to come into compliance or risk civil liability on a per day, per violation. The information obtained by the State Water Board identifies that you are diverting water subject to the State Water Board's permitting authority for cannabis cultivation without an appropriative water right that authorizes your water diversion and use. 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 $1,000 for each day that the unauthorized diversion or use of water occurs, plus $4,000 for each acre-foot of water diverted during a drought. If an unauthorized diversion or use of water occurs for unlicensed cannabis

cultivation, the State Water Board may impose a civil liability in an amount not to exceed $4,000 for each day that the unauthorized diversion or use of water occurs. (WC § 1052, et seq.)

The Policy requires cannabis cultivators who divert and use surface water for cannabis cultivation must obtain an appropriative water right (ex: Cannabis Small Irrigation Use Registration) prior to diverting and storing water for use. Failure to obtain an appropriative water right and failure to cease your water diversion constitute ongoing violations. The State Water Board can impose civil liability in the amount of $700 for each Policy violation and $300 for each day the violation continues after notice of the violation is provided by the State Water Board. (WC § 1847).

In addition, WC section 5101 requires, with minor exceptions, that a person who diverts water from a stream in the absence of a permit, license, or registration must file a Statement with the State Water Board. If you divert water, then you are required to report your water diversion and use to the State Water Board for October 1 – September 30 prior to February 1 of the succeeding year by filing a Statement pursuant to WC section 5101.

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.

The State Water Board may administratively impose a civil liability in the amount of $2,000 for the failure to file a Statement for each point of diversion, plus $800 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 has called the violation to the attention of that person. (WC § 5107, subd. (c)(1)).

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

Within 30 days from the date of this notice letter you should take the following corrective actions:

1. You must cease your diversion of water and use for cannabis cultivation until you obtain an appropriative water right like a SIUR; and

2. You must obtain an appropriative water right like a SIUR or file an application to appropriate water by permit; and

3. You must file a Statement for each diversion location on your property whether you use water diverted for cannabis or other uses.

You must also submit photographic proof and/or other documentation that supports your corrective actions taken whether you choose compliance option 1, 2 and 3. You can submit your documents via email to dwr.cannabisenforcement@waterboards.ca.gov.

For questions, you can reach us by phone at 916-341-5362.

Information on how to obtain an SIUR, water right applications, and the Cannabis Policy is listed below:

To file an SIUR application: https://calwatrs.waterboards.ca.gov/portal/s/registration
For assistance contact us at 916-341-5362 or email at
dwr.cannabisenforcement@waterboards.ca.gov

To file an application to appropriate water by permit:
https://calwatrs.waterboards.ca.gov/portal/s/appropriative-rights

To file an Initial Statement of Water Diversion and Use:
https://calwatrs.waterboards.ca.gov/portal/s/statement-of-use-initiate

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

If you have any questions regarding this matter, please contact Laura Cunningham at (916) 327-8696 or via e-mail at Laura.Cunningham@waterboards.ca.gov. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Laura Cunningham, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,

ORIGINAL SIGNED BY:

Laura Cunningham, Analyst
Cannabis Enforcement Unit
2 Division of Water Rights

Enclosure: Notice of Violation of Fish and Game Code

ec: See next page.

ec: Division of Water Rights
Taro Murano
Taro.Murano@waterboards.ca.gov

Stormer Feiler
Stormer.Feiler@waterboards.ca.gov

Laura Cunningham
Laura.Cunningham@waterboards.ca.gov

Oxcar Macias
Oxcar.macias@waterboards.ca.gov

Cannabis Registration Unit
DWR-CannabisReg@waterboards.ca.gov

State Water Board Office of Enforcement
Heather Jidkov
Heather.jidkov@waterboards.ca.gov

Department of Fish and Wildlife
Lt. Aaron Galwey
Aaron.galwey@wildlife.ca.gov

Warden Aidan Bess
Aidan.bess@wildlife.ca.gov

Matthew Jones
Matt.jones@wildlife.ca.gov

Adam McKannay
Adam.Mckannay@wildlife.ca.gov

Tobi Freeny
Tobi.freeny@wildlife.ca.gov

Darrick Muir
Darrik.muir@wildlife.ca.gov

Dacota Huzzen
Dacota.huzzen@wildlife.ca.gov

Department of Cannabis Control
Jon Silva
Jon.silvai@cannabis.ca.gov

State Water Resource Control Board, Office of Enforcement
Michael Buckman
Michael.buckman@waterboards.ca.gov

Jordan Zakaria
Jordan.zakaria@waterboards.ca.gov

Shasta County Department of Resource Management
Jonathan Muller
Jmuller@co.shasta.ca.us

Central Valley Regional Water Quality Control Board
Kelly Hickcox
kelly.hickcox@waterboards.ca.gov

Aiden Berlin
Aidan.berlin@waterboards.ca.gov

Maggie Driver
Maggie.driver@waterboards.ca.gov