State Water Resources Control Board

October 28, 2026

CERTIFIED MAIL

In Reply Refer to:
INV ID 71002

John Rafanelli and Michael Laszlo

Dear John Rafanelli and Michael Laszlo:

CERTIFIED MAIL NO: 9589 0710 5270 1738 1256 66

NOTICE OF UNAUTHORIZED DIVERSION AND REQUIREMENT TO FILE A STATEMENT OF WATER DIVERSION AND USE FOR SONOMA COUNTY ASSESSOR PARCEL NUMBER (APN) 107-320-020-000.

The State Water Resources Control Board (State Water Board), Division of Water Rights (Division), received information from the California Department of Fish and Wildlife (CDFW) indicating that surface water is being diverted into a reservoir on the above-referenced property. Any diversion of surface water for cannabis cultivation must be authorized by a valid water right.

The purpose of this letter is to gather information, provide you with notice that your diversion of water is subject to the State Water Board's permitting authority, and inform you of your regulatory compliance options. 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 for each day that the unauthorized diversion or use of water occurs. (WC § 1052, et seq.)

To achieve compliance, you may either 1) obtain an appropriative water right, or 2) render the reservoir incapable of storing water. More information on appropriative water rights is at the end of this letter.

The previous property owner was cultivating cannabis. If you plan to cultivate cannabis, please note diversion and irrigation infrastructure is subject to the State Water Board's Cannabis Cultivation Policy (Policy). The Policy requires cannabis cultivators who divert and use surface water for cannabis cultivation must obtain a Cannabis Small Irrigation Use Registration prior to diverting and storing water for use.

This letter constitutes your notice of the abovementioned WC and Policy requirements. Your response to 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 file an application to appropriate water by permit; or
2. Remove the on-stream reservoir on your property. However, you must first consult with the Regional Water Quality Control Board (Region) and CDFW to assess the potential impact of removing your reservoir. You may need to obtain a 401 Certification from the Region for instream work to remove the dam, and a Lake and Streambed Alteration Agreement (LSAA) from CDFW before you can begin removal of the reservoir.

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

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