
State Water Resources Control Board

August 29, 2022

MURPHY DONALD D AND SANDRA K TRUST

[REDACTED]
[REDACTED]

To Whom It May Concern:

NOTICE OF VIOLATION - FAILURE TO COMPLY WITH CURTAILMENT ORDERS

Due to the extreme drought conditions, the State Water Resources Control Board (State Water Board) adopted emergency regulations on August 17, 2021. The regulations went into effect on August 30, 2021.

On September 9, 2021, State Water Board imposed curtailments on reported water rights in the Scott Watershed. On September 10, 2021, the State Water Board imposed curtailments on groundwater rights and non-reported surface water rights. On October 25, 2021, curtailments in the Scott Watershed were conditionally suspended (Addendum 1 to Order WR 2021-0083-DWR and Order WR 2021-0084-DWR). On July 1, 2022, the State Water Board issued Addendum 32 to the curtailment orders stating that the suspension of curtailments for surface water rights expired at 12:00 PM on July 2, 2022, reimposing curtailments. On July 14, 2022, the State Water Board issued Addendum 35 to the curtailment orders stating that all surface water and groundwater diversions in the Scott River watershed must immediately cease unless they are approved under a petition or meet an exception.

On August 19th, 2022, State Water Board, Division of Water Rights (Division) staff took photographs from public roads of irrigation at your place of use at APN(s) 023-090-550 in Siskiyou County (see Appendix A). Division staff could not find any evidence of a pending or approved Local Cooperative Solution (LCS) proposal, and therefore, the use of water for irrigation is not authorized. Failure to cease diversion is a violation of State Water Board regulations and may subject you to formal enforcement and potential monetary penalties (Water Code section 1846).

The Division may issue an Administrative Civil Liability Complaint (ACL Complaint) at its discretion with a potential fine for up to \$500 per day per water right for each day a violation occurs.

If you are no longer the legal owner of the water right(s) listed or are enrolled in a LCS, immediately provide proof to the Division at the contact information provided below. Because this diversion is curtailed, you must immediately

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

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cease diversions unless the diversion falls under few exceptions as written in the emergency regulations. If you feel your diversion qualifies under an exception, please provide proof to the Division. Addendum 35 can be found online here:

https://www.waterboards.ca.gov/drought/scott_shasta_rivers/docs/2022/scott-addendum35.pdf

If you have questions or concerns, please leave a message on the Water Rights Enforcement phone line at (916) 341-5342 or by email at DWR-SiskiyouEnforcement@waterboards.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to be "Robert P. Cervantes", with a horizontal line extending to the right.

Robert P. Cervantes, PE
Program Manager - Enforcement
Division of Water Rights

Appendix A



August 19 photograph showing active irrigation and irrigated lands



August 19 photograph showing active irrigation and irrigated lands

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August 19 photograph showing active irrigation and irrigated lands