

S016961



## State Water Resources Control Board

### ACCEPTANCE OF SETTLEMENT OFFER AND WAIVER OF RIGHT TO HEARING AND RECONSIDERATION

Bess Dairy Inc

Statement(s): S016961

SWRCB - DWR  
23 SEP 18 PM 12:11

By properly executing and returning this Acceptance of Settlement Offer and Waiver of Right to Hearing and Reconsideration ("Acceptance and Waiver") to the State Water Resources Control Board ("State Water Board"), Bess Dairy Inc ("Respondent") hereby accepts the Division of Water Rights' conditional Settlement Offer and waives their right to contest the violations alleged in the Administrative Civil Liability ("ACL") Complaint at a hearing before the State Water Board, Administrative Hearings Office. Respondent also waives their right to request reconsideration of an order by the State Water Board resolving the violations alleged in the ACL Complaint.

#### Settlement Offer:

The Division of Water Rights Prosecution Team makes the following offer to settle this matter without the need for a formal hearing. The terms of the settlement are as follows:

- File the delinquent Supplemental Statement(s) of Water Diversion and Use (supplemental statement(s)) within 20 days of receiving the ACL Complaint, and
- Pay settlement amount of \$600 within 30 days of receiving the State Water Board's Order Approving the Settlement Agreement.

#### How to accept the Settlement Offer:

1. **Within 20 calendar days of receipt of ACL Complaint**, file the supplemental statement(s) for diversions made under the statement number identified above by logging into the State Water Board's website (<https://rms.waterboards.ca.gov>) using the User ID(s) (Statement ID) and Password(s) listed in the table below:

User ID / Statement ID	Password / Reporting Identifier
S016961	[REDACTED]

Rec'd 9/18/23  
\$600.00  
DT

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

2. **Within 20 calendar days of receipt of Complaint**, execute this Acceptance and Waiver and deliver via email to [DWR-Reporting@waterboards.ca.gov](mailto:DWR-Reporting@waterboards.ca.gov) or by mail to:

State Water Resources Control Board  
Division of Water Rights  
Attention: Enforcement Section – Failure to File 2021-2022  
P.O. Box 2000  
Sacramento, CA 95812-2000

**AND**

3. **Within 30 days of the State Water Board issuing an Order Approving the Settlement Agreement**, remit the \$600 settlement amount payment. Once Respondent completes Steps 1 and 2 above, the State Water Board will issue an Order approving this settlement agreement. At that time, the Respondent shall remit payment of the settlement amount within 30 days as directed by the Order. **Do not send payment at this time.**

**Failure to accept the Settlement Offer within 20 calendar days of receipt of Complaint or failing to submit the supplemental statement by the required deadline shall render this Settlement Offer voidable and may subject Respondent to the full proposed liability amount specified in the ACL Complaint.**

By properly executing and returning this Acceptance and Waiver to the State Water Board, Respondent acknowledges and understands that:

1. This Acceptance and Waiver waives the Respondent's right to contest the allegations in the ACL Complaint and the amount of administrative civil liability for the alleged violations.
2. This Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint.
3. This Acceptance and Waiver is not final and effective until it is approved by the State Water Board, or its delegee.

I hereby affirm that I am duly authorized to act on behalf of and to bind Respondent in the making and giving of this Acceptance and Waiver.

By:

  
Signature

9/21/2023  
Date

Eric Bess  
Printed or typed name

Vice President  
Title

\_\_\_\_\_  
Relationship to Respondent if not Respondent