



State Water Resources Control Board

September 22, 2023

Andrew Fobert

Water Right(s)/Claim(s) of Right: SEE BELOW

NOTICE OF VIOLATION: FAILURE TO FILE ANNUAL DIVERSION AND USE REPORT

Dear Andrew Fobert:

Based on our records, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) determined that you are the Primary Owner for the water right(s) or claim(s) of right listed on the reverse page. You are required to file annual water diversion and use reports to the State Water Board even if no water was diverted or used.

As of the date of this letter, the Division has not received your October 1, 2021 through September 30, 2022 water year (2021-2022 water year) diversion report(s) that was due before **February 1, 2023**. This is a violation of section 929 of Title 23 of the California Code of Regulations. Due to your diversion size you must also submit information regarding your measuring devices and data collected from those devices. The frequency of data collection depends on the size of your diversion or reservoir. Your diversion requires a monthly data collection (Title 23, Chapter 2.8, sections 931-938 of the California Code of Regulations).

Water Code section 1846 authorizes the Board to impose administrative civil liability (ACL) of up to \$500 for each day after the deadline your water diversion and use report(s) was not filed. As of the date of this letter, the maximum potential fine is **\$116,500 per report** (233 days from the February 1, 2023 deadline for the 2021-2022 water year diversion report).

The Division will NOT issue an ACL Complaint for this violation if you submit your 2021-2022 water year diversion report(s) by October 21, 2023.

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

You can submit each report online at <https://rms.waterboards.ca.gov> with the Water Right ID and Password listed below. Separate reports must be filed for each water right or claim of right you own or manage. Do not combine information for multiple water rights or claims on one response.

If you are no longer the legal owner of the water right(s) or claim(s) of right listed below, provide proof to the Division at the contact information provided below by October 14, 2023, and we will not issue an ACL Complaint.

If you have questions or concerns, please leave a message with the Division Enforcement Section by email at DWR-Reporting@waterboards.ca.gov or by phone at (916) 341-5342. Division staff will respond to your message shortly.

Sincerely,

Karen Kramer, PG
Program Manager - Enforcement
Division of Water Rights

| Water Right ID/User ID | Password/Reporting Identifier |
|------------------------|-------------------------------|
| A025599 | |

Language Access Services

The State Water Board provides interpretation and translation services in any language at no cost to you.

- Language interpretation for public meetings and workshops with Water Board staff.
- Written translation of documents including comment letters, fact sheets, and more.

Language services are available in English, Español (Spanish), Tagalog, 中文 (Simplified Chinese), 한국인 (Korean), Tiếng Việt (Vietnamese), ਪੰਜਾਬੀ (Punjabi), Hmoob (Hmong).

To request these services, please contact the Office of Public Participation at (916) 341-5254, email at OPP-LanguageServices@Waterboards.ca.gov, or by direct internet link at <https://bit.ly/LanguageAccessForm>.