



State Water Resources Control Board

FEB 17 2023

CERTIFIED MAIL

In Reply Refer to:
MS: INV14778

Inland Pacific Properties LLC.

All Coast Forest Products INC.

Nu Forest Products INC.

Dear Water Right Owner and Current Residences:

NOTICE OF MULTIPLE POTENTIAL VIOLATIONS INCLUDING UNAUTHORIZED STORAGE POND, PURPOSE OF USE, AND POINT OF DIVERSION FROM THE RUSSIAN RIVER IN SONOMA COUNTY

On October 6, 2022, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) enforcement staff inspected water right License 4489 (App ID A013987) of Inland Pacific Properties LLC as part of the 2022 drought curtailment inspection efforts. At the time of the inspection, multiple potential violations were identified that are not covered under License 4498. These potential violations are as follows:

1. Unauthorized storage pond;
2. Unauthorized point of diversion (a pump and/or a well);
3. Unauthorized purpose of use (domestic, fire protection, and dust control); and
4. Water diversion under License 4489 was served outside the authorized place of use.

Inspection

On October 6, 2022, Todd Davis (manager at International Wood Products) accompanied Division staff to inspect License 4489. The property is located at 280 Asti Road, Cloverdale in Sonoma County with Assessor's Parcel Numbers (APN):

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

116- 260- 004-000. At the site, Mr. Davis stated that Inland Pacific Properties LLC and All Coast Forest Products Incorporated (APN: 116-260-016-000) properties use the diverted water under License 4489 for domestic, fire protection, and dust control use within these properties.

Background

Inland Pacific Properties LLC holds water right License 4489 (see attachment). The license authorizes direct diversion of 0.035 cubic feet per second from April 1 to December 1 of each year. The purpose of use is only for irrigation and the place such water is put to beneficial use is 19 acres (see attachment). License 4489 does not include any storage pond or additional point of diversion (a pump/well).

Division of Water Rights' Responsibility

The Division is responsible for the administration of appropriative water rights in California initiated after 1914, commonly referred to as "post-1914 appropriative water rights." The diversion of water from a surface or subterranean stream requires a water right recognized by the State Water Board, such as a riparian water right, pre-1914 water right claim, or a post-1914 water right permit or license issued by the Division. Diversions from a surface or subterranean stream without a valid basis of right are considered to be a trespass against the State of California, and the property owner or diverter is subject to enforcement, which may include an administrative civil liability, cease and desist order, or both. Administrative civil liability for unauthorized diversion may be as high as \$500 per day and, during drought, as high as \$1,000 per day and \$2,500 per acre-foot of unauthorized water. A person who violates a cease and desist order may be subject to an administrative civil liability of up to \$1,000 per day and, during drought, up to \$10,000 per day.

Review of Division's Records

Based on a review of the Division's records, Division staff did not find a water right permit or license or pre-1914 water right claim associated with your property for storing water. Therefore, your water diversion is likely unauthorized unless you can demonstrate a valid basis of right. All diversions must cease until you obtain an appropriative water right from the Division.

Action Required

Division staff has initiated an investigation on this matter and requests information from you to assist in the Division's investigation. **Within 30 days of receipt of this letter**, please provide the following information:

1. What is the basis of right for storing water in the pond? When was the pond built and what is the purpose of the pond?
2. What is the basis of right for the pump house and the well located on the property of All Coast Forest Products Incorporated?
3. What is the basis of right to use the water other than irrigation?
4. What is the basis of right to serve water outside the authorized place of use under License 4489?

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Based on the information you submit, the Division will determine if further investigation is required. Failure to timely submit the requested information may result in enforcement action. If you do not have a water right for storing water, you may file a water right application for approval. General information about permitting program and how to submit an application is available at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/

If you have any questions, please refer to our website for general water right information at <http://www.waterboards.ca.gov/waterrights/> or contact Mohammad Sohrabi by phone at (916) 322-6796 or via e-mail at Mohammad.Sohrabi@waterboards.ca.gov. Written correspondence should be addressed as follows:

State Water Resources Control Board
Division of Water Rights
Attn: Mohammad Sohrabi
P.O. Box 2000
Sacramento, CA 95812-2000

Sincerely,



Mohammad Sohrabi, PhD
Central Coast/Southern California Enforcement Unit
Division of Water Rights

Enclosures: 1. License 4498
2. Map