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## State Water Resources Control Board

October 3, 2022

In reply, refer to:  
VRV:INV 1446,  
SG005956

CERTIFIED MAIL

Darrell Sousa  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Mr. Sousa:

### **REPORT OF INSPECTION AND NOTICE OF VIOLATION FOR THREATENED FAILURE TO COMPLY WITH CURTAILMENT ORDERS, SHASTA RIVER WATERSHED, SISKIYOU COUNTY**

You were notified by letter dated September 10, 2021 that you were subject to an Order Imposing Water Right Curtailment and Reporting Requirements in the Shasta River Watershed (Curtailment Order), Order WR 2021-0082-DWR, since you were identified as an appropriator of groundwater from your property identified as Siskiyou County Assessor's Parcel Number (APN) 019-661-120-000.

On August 5, 2022, the Division of Water Rights (Division) staff issued a Notice of Complaint to you notifying you that the Division received a complaint alleging that you are diverting groundwater from the Shasta River watershed in a wasteful and unreasonable manner from your property. The Notice of Complaint requested information from you to assist in Division staff's complaint investigation. On August 29, 2022, Division staff met with you at your property to conduct an inspection to gather information as part of the complaint investigation and to determine if your groundwater extractions were in compliance with the Curtailment Order. A copy of Division staff's inspection report is attached.

#### **Summary of Threatened Violation**

Based on the documents you submitted by email and provided to Division staff during the inspection and based on Division staff's observations and interview with you and your nephew during the inspection, Division staff has determined that your groundwater

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

well extractions pose a threatened violation of the Curtailment Order for the Shasta River watershed. This determination is based on the following set of facts:

- Based on the electric bills and the groundwater well pump plate image you provided, Division staff calculated that up to an average of 17,000 to 85,000 gallons per day, or 5 to 24 truckloads of groundwater per day, appear to be hauled from your property for sale and use outside of your property.
- Based on Division staff's interview with you, you do not keep records of how much water is taken from your well, who the end users of the water are, and what beneficial use the water is put to.

You submitted a Human Health and Safety certification on November 18, 2021; however, you do not have records to demonstrate the use of water is consistent with your certification as required under California Code of Regulations, Title 23, Section 878.1. The continued sale and use of an unrecorded amount of water for unknown purposes is a threatened violation of the Curtailment Order.

The State Water Board retains the authority and discretion to take enforcement action based on the facts and allegations contained herein and you may be subject to further enforcement action before the State Water Board; therefore, this matter requires your immediate attention.

If you have questions concerning this Notice of Violation or attached inspection report, please contact me by phone at (916) 323-9407, or by email at [victor.vasquez@waterboards.ca.gov](mailto:victor.vasquez@waterboards.ca.gov). Written correspondence can be provided and addressed to the following address:

State Water Resources Control Board  
Division of Water Rights  
Attention: Victor Vasquez  
P.O. Box 100  
Sacramento, CA 95812-0100,

Sincerely,



Victor Vasquez, Senior Water Resource Control Engineer  
Enforcement Section  
Division of Water Rights

**Enclosure:**

Division of Water Rights Inspection Report dated October 3, 2022

ec: **State Water Board Division of Water Rights**  
Julé Rizzardo  
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Robert Cervantes  
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